IMT Nuremberg Archives

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International Court of Justice

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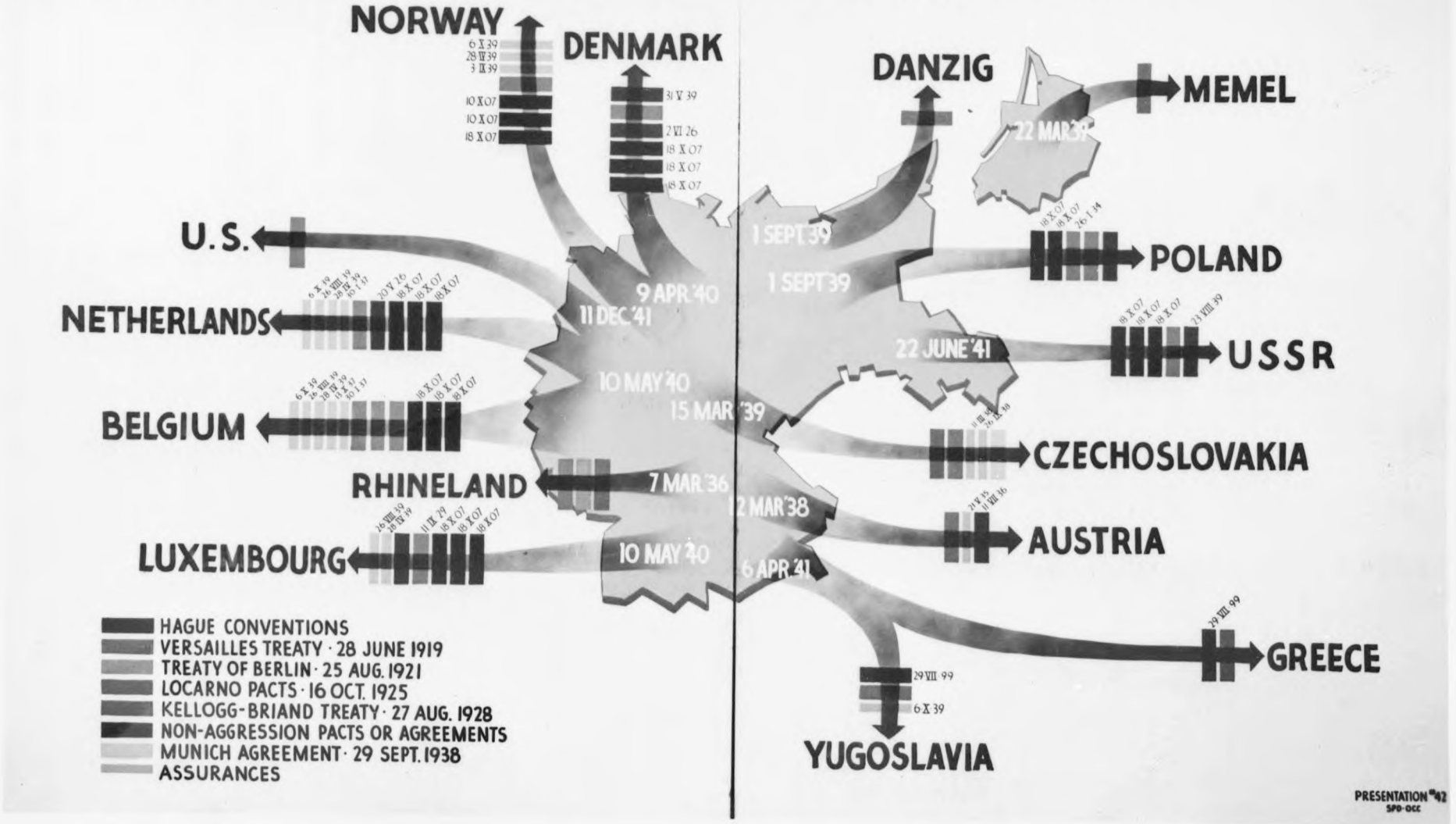
VIOLATIONS OF TREATIES, AGREEMENTS AND ASSURANCES



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TC 7	3	Versailles Treaty Art. 81	R.G.B.1919 Nr.140 S 832 - 833
TC 48 vide 2798 PS	5 Not offered vide USA 118	German Foreign Office Secret Report of Interview Hitler, Ribbentrop, Goering, Keitel - Hacha, 15 March 1939	
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TC 51	8	Decree establishing Protectorate 16 March 1939	Rblatt 1939 Teil I Nr. 47. S 485 - 488.
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TC 11	12	Treaty Restoring Friendly Relations 25 August 1921	Rblatt 1921 Nr. 103. S 1318 - 1323.
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G. B. Exhibit 1
Filed Dec. 5, 1945

TC 1.

TREATY SERIES NO. 9.

1901.

INTERNATIONAL CONVENTION

For the

PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

Signed at the Hague
July 29 1899

With an Appendix containing Certificates of Exchange of such Ratifications of Powers Parties to the Convention as had been deposited at the Hague down to July 15, 1901.

Presented to both Houses of Parliament by Command of
His Majesty December 1901.

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APPENDIX

No. 1

Great Britain

Le premier Soussigné déclare avoir remis et le second Soussigné déclare avoir reçu pour être déposé dans les archives d'État du Royaume des Pays-Bas, l'Acte du Royaume-Uni de la Grande-Bretagne et d'Irlande, portant la ratification de la Convention pour le Réglement Pacifique des Conflits Internationaux.
En foi de quoi des Soussignés ont dressé le présent procès-verbal en un seul exemplaire dont une copie, certifiée conforme, sera transmise par la voie deiplomatique à toutes les Puissances qui ont été représentées à la Conférence Internationale de la Paix de la Haye.
Fait en cette ville, le 4 Septembre 1900.

L'Envoyé Extraordinaire et Ministre,
Plénipotentiaire de Sa Majesté la Reine du Royaume-Uni de la Grande-Bretange et d'Irlande,
HENRY HOWARD.

Le Ministre des Affaires Étrangères de
Sa Majesté la Reine des Pays-Bas,
W.H. DE BEAUFORT.

Certifié pour copie conforme:
Le Secrétaire-Général
du Département des Affaires Étrangères,
L.H. Ruyssenaers.

No. 2.

Germany

Le premier Soussigné déclare avoir remis et le second Soussigné declare avoir reçu pour être déposé dans les archives d'État du Royaume des Pays-Bas, l'Acte de l'Empire d'Allemagne, portant la ratification de la Convention pour le Réglement Pacifique des Conflits Internationaux.
En foi de quoi les Soussignés ont dressé le présent procès-verbal en un seul exemplaire dont une copie certifiée conforme sera transmise par la voie diplomatique à toutes les Puissances qui ont été représentées à la Conférence Internationale de la Paix de La Haye.
Fait en cette ville le 4 Septembre 1900.

L'Envoyé Extraordinaire et Ministre
Plénipotentiaire de Sa Majesté l'Empereur
d'Allemagne, Roi de Prusse,
F. POURTALES.

Le Ministre de Affaires Étrangeres de
Sa Majesté la Reine des Pays-Bas,
W.H. DE BEAUFORT.

Certifié pour copie conforme:
Le Secrétaire-Général,
du Département des Affaires Étrangères,
L.H. RUYSSENAERS.

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de Macedo, ex-Minister for the Marine and Colonies, Peer of the Kingdom, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Most Catholic Majesty: M. d'Ornellas Vasconcellos, Peer of the Kingdom, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Emperor of All the Russias; and the Count de Selir, his Envoy Extraordinary and Minister Plenipotentiary at the Court of Her Majesty the Queen of the Netherlands;

His Majesty the King of Roumania, M. Alexandre Beldiman, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Emperor of Germany; and M. Jean N. Papiniu, his Envoy Extraordinary and Minister Plenipotentiary at the Court of Her Majesty the Queen of the Netherlands;

His Majesty the Emperor of All the Russias, M. de Staal, Privy Councillor, his Ambassador at the Court of Her Britannic Majesty; M. de Martens, Permanent Member of the Council of the Imperial Ministry of Foreign Affairs, Privy Councillor; M. de Basily, Councillor of State, Chamberlain to His Majesty the Emperor;

His Majesty the King of Servia, M. Miyatovitch, his Envoy Extraordinary and Minister Plenipotentiary at London and at the Hague;

His Majesty the King of Siam, M. Phya Suriya Nuvatr, his Envoy Extraordinary and Minister Plenipotentiary to the French Republic; and M. Phya Visuddha, his Envoy Extraordinary and Minister Plenipotentiary at the Courts of Her Majesty the Queen of the Netherlands and Her Britannic Majesty;

His Majesty the King of Sweden and Norway, Baron de Bildt, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of Italy;

The Swiss Federal Council, Dr. Arnold Roth, Envoy Extraordinary and Minister Plenipotentiary Berlin;

His Majesty the Emperor of the Ottomans, his Excellency Turkhan Pasha, former Minister of Foreign Affairs, Member of his Council of State; and Noury Bey, Secretary-General in the Ministry of Foreign Affairs;

His Royal Highness the Prince of Bulgaria, Dr. Dimitri I. Stancioff, his Diplomatic Agent to the Imperial Russian Government; and Major Christo Hessaptchieff, of the Bulgarian Staff, Military Attaché at Belgrade;

Who, after communication of their full powers, found in good and due form, have agreed on the following provisions:-

Title I - On the Maintenance of General Peace.

ARTICLE I.

With a view to obviating, as far as possible, recourse to force in the relations between States, the Signatory Powers agree to use their best efforts to insure the pacific settlement of international differences.

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Title II - On Good Offices and Mediation.

ARTICLE II.

In case of serious disagreement or conflict, before an appeal to arms, The Signatory Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly powers.

ARTICLE III.

Independently of this recourse, the Signatory Powers recommend that one or more Powers strangers to the dispute should on their own initiative and as far as circumstances may allow, offer their good offices or mediation to the States at variance.
Powers strangers to the dispute have the right to offer good offices or mediation, even during the course of hostilities.
The exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act.

ARTICLE IV.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance.

ARTICLE V.

The functions of the mediator are at an end when once it is declared either by one of the parties to the dispute or by the mediator himself that the means of reconciliation proposed by him are not accepted.

ARTICLE VI.

Good offices and mediation, either at the request of the parties at variance or on the initiative of Powers strangers to the dispute, have exclusively the character of advice, and never have binding force.

ARTICLE VII.

The acceptance of mediation cannot, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.
If mediation occurs after the commencement of hostilities, it causes no interruption to the military operations in progress, unless there be an agreement to the contrary.

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ARTICLE VIII.

The Signatory Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:-

In case of a serious difference endangering the peace, the States at variance choose respectively a Power to whom they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, unless otherwise stipulated, cannot exceed thirty days, the States in conflict cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers, who must use their best efforts to settle it.

In case of a definite rupture of pacific relations, these Powers are charged with the joint task of taking advantage of any opportunity to restore peace.

Title III - On International Commissions of Inquiry.

ARTICLE IX

In differences of an international nature involving neither honour nor vital interests, and arising from a difference of opinion on points of fact the Signatory Powers recommend that the parties, who have not been able to come to an agreement by means of diplomacy, should as far as circumstances allow, institute an International Commission of Inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE X.

The International Commissions of Inquiry are constituted by special agreement between the parties in conflict.

The Convention for an inquiry defines the facts to be examined and the extent of the Commissioner's powers.

It settles the procedure.

On the inquiry both sides must be heard.

The form and the periods to be observed, if not stated in the Inquiry Convention, are decided by the Commission itself.

ARTICLE XI.

The International Commissions of Inquiry are formed, unless otherwise stipulated, in the manner fixed by article XXXII of the present convention.

G.B. Exhibit 2
Filed Dec. 5, 1945

(Translation)

No. 1

CONVENTION FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES. -

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His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; His Majesty the Emperor of China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark; the President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic. His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Royal Highness the Prince of Montenegro. the President of the Republic of Nicaragua; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc.; His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela;

Animated by a strong desire to concert for the maintenance of general peace;

Resolved to promote by their best efforts the friendly settlement of international disputes;

Recognizing the solidarity uniting the members of the society of civilized nations;

Desirous of extending the empire of law and of strengthening the appreciation of international justice;

Convinced that the permanent institution of a Tribunal of Arbitration accessible to all, in the midst of independent Powers, will contribute effectively to this result;

Having regard to the advantage of th general and regular organization of the procedure of arbitration;

Sharing the opinion of the august initiator of the International Peace Conference that it is expedient to record in an International Agreement the principles of equity and right on which are based the security of States and the welfare

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of peoples; and

Being desirous, with this object, of insuring and improving the working in practice of Commissions of Inquiry and Tribunals of Arbitration and of facilitating recourse to arbitration in cases which allow a summary procedure;

Have deemed it necessary to revise in certain particulars and to complete the work of the First Peace Conference for the pacific settlement of international disputes;

The High Contracting Parties have resolved to conclude a new Convention for this purpose, and have appointed as their Plenipotentiaries, that is to say:

(Names of Plenipotentiaries)

Who, after having deposited their full powers, found to be in good and due form, have agreed upon the following:-

Part I.

THE MAINTENANCE OF GENERAL PEACE

Article 1.

With a view of obviating as far as possible recourse to force in the relations between States, the Contracting Powers agree to use their best efforts to ensure the pacific settlement of international differences.

Part II.

GOOD OFFICES AND MEDIATION

Article 2.

In case of serious disagreement or dispute, before an appeal to arms, the Contracting Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers.

Article 3.

Independently of this recourse, the Contracting Powers deem it expedient and desirable that one or more Powers, strangers to the dispute, should, on their own initiative and as far as circumstances allow, offer their good offices or mediation to the States at variance.

Powers strangers to the dispute have the right to offer good offices or mediation even during the course of hostilities.

The exercise of this right can never been regarded by either of the contending parties as an unfriendly act.

Article 4.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance.

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Article 5.

The duties of the mediator are at an end when once it is declared, either by one of the contending parties or by the mediator himself, that the means of reconciliation proposed by him are not accepted.

Article 6.

Good offices and mediation undertaken either at the request of the contending parties or on the iniative of Powers strangers to the dispute have exclusively the character of advice, and never have binding force.

Article 7.

The acceptance of mediation cannot, in default of agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.

If mediation takes place after the commencement of hostilities, the military operations in progress are not interrupted, in default of agreement to the contrary.

Article 8.

The Contracting Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:-

In case of a serious difference endangering peace, the States at variance choose respectively a Power, to which they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, in default of agreement to the contrary, may not exceed thirty days, the contending States cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers. These Powers shall use their best efforts to settle the dispute.

In case of a definite rupture of pacific relations, these Powers remain jointly charged with the task of taking advantage of any opportunity to restore peace.

Ex. 2

(Translation) T C 3

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CONVENTION RELATIVE TO THE OPENING OF HOSTILITIES

HIS Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; His Majesty the Emperor of China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark; the President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Royal Highness the Prince of Montenegro; the President of the Republic of Nicaragua; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc., His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela:

Considering that it is important, in order to ensure the maintenance of pacific relations, that hostilities should not commence without previous warning.

That it is equally important that the existence of a state of war should be notified without delay to neutral Powers; and

Being desirous of concluding a Convention to this effect, have appointed the following as their Plenipotentiaries:

(Names of Plenipotentiaries.)

Who, after having deposited their full powers, found to be in good and due form, have agreed upon the following provisions:

Article 1.

The Contracting Powers recognize that hostilities between them must not commence without a previous and explicit warning, in the form of either a declaration of war, giving reasons, or an ultimatum with a conditional declaration of war.

Article 2.

The existence of a state of war must be notified to the neutral Powers without delay, and shall not be held to affect them until after the receipt of a notification, which may however, be given by telegraph. Nevertheless, neutral Powers may not

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T C 3
(Cont'd)

rely on the absence of notification if it be established beyond doubt that they were in fact aware of the existence of a state of war.

Article 3.

Article 1 of the present Convention shall take effect in case of war between two or more of the Contracting Powers.

Article 2 applies as between a belligerent Power which is a party to the Convention and neutral Powers which are also parties to the Convention.

Article 4.

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a Protocol signed by the Representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the Protocol relating to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification, shall be immediately sent by the Netherland Government through the diplomatic channel to the Powers invited to the Second Peace Conference, as well as to the other Powers which have acceded to the Convention. The said Government shall, in the cases contemplated in the preceding paragraph, inform them at the same time of the date on which it received the notification.

Article 5.

Non-Signatory Powers may accede to the present Convention.

A Power which desires to accede notifies its intention in writing to the Netherland Government, forwarding to it the act of accession, which shall be deposited in the archives of the said Government.

The said Government shall immediately forward to all the other Powers a duly certified copy of the notification as well as of the act of accession, mentioning the date on which it received the notification.

Article 6.

The present Convention shall take effect, in the case of the Powers which were parties to the first deposit of ramifications, sixty days after the date of the Protocol recording such deposit, and, in the case of the Powers which shall ratify subsequently or which shall accede, sixty days after the notification of their ratification or of their accession has been received by the Netherland Government.

Article 7.

In the event of one of the High Contracting Parties wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

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T C 3
(Cont'd)

The denunciation shall only operate in respect of the denouncing Power, and only on the expiry of one year after the notification has reached the Netherland Government.

Article 8.

A register kept by the Netherland Ministry for Foreign Affairs shall record the date of the deposit of ratifications effected in virtue of Article 4, paragraphs 3 and 4, as well as the date on which the notifications of accession (Article 5, paragraph 2) or of denunciation (Article 7, paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the Plenipotentiaries have appended their signatures to the present Convention.

Done at The Hague, the 18th October, 1907, in a single original, which shall remain deposited in the archives of the Netherland Government, and of which duly certified copies shall be sent, through the diplomatic channel, to the Powers invited to the Second Peace Conference.

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Ex 2

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T C 4

CONVENTION RESPECTING THE RIGHTS AND DUTIES OF NEUTRAL POWERS AND PERSONS IN WAR ON LAND.

His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile: His Majesty the Emperor of China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba: His Majesty the King of Denmark; the President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Royal Highness the Prince of Montenegro; the President of the Republic of Nicaragua; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands: the President the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc., His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela:

With the view of laying down more clearly the rights and duties of neutral Powers in case of war on land and of regulating the position of belligerents who have taken refuge in neutral territory;

Being likewise desirous of defining the meaning of the term "neutral", pending the possibility of settling, in its entirety, the position of neutral persons in their relations with belligerents;

Have resolved to conclude a Convention to this effect, and have, in consequence, appointed as their Plenipotentiaries, that is to say;

(Names of Plenipotentiaries)

Who, after having deposited their full powers, found to be in good and due form, have agreed upon the following provisions:

CHAPTER I.

THE RIGHTS AND DUTIES OF NEUTRAL POWERS.

Article 1.

The territory of neutral Powers is inviolable.

Article 2.

Belligerents are forbidden to move troops or convoys, whether of munitions of war or of supplies, across the territory of a neutral Power.

Article 3.

Belligerents are likewise forbidden to:

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(a) Erect on the territory of a neutral Power a wireless telegraphy station or any apparatus for the purpose of communicating with belligerent forces on land or sea;

(b) Use any installation of this kind established by them for purely military purposes on the territory of a neutral Power before the war, and not previously opened for the service of public messages.

Article 4.

Corps of combatants must not be formed, nor recuiting agencies opened, on the territory of a neutral Power, to assist the belligerents.

Article 5.

A neutral Power must not allow any of the acts referred to in Articles 2 to 4 to occur on its territory.

It is not called upon to punish acts in violation of neutrality unless such acts have been committed on its own territory.

Article 6.

The responsibility of a neutral Power is not involved by the mere fact that persons cross the frontier individually in order to offer their services to one of the belligerents.

Article 7.

A neutral Power is not bound to prevent the export or transit, for either belligerent, of arms, munitions, of war, or, in general, of anything which could be of use to an army or fleet.

Article 8.

A neutral Power is not bound to forbid or restrict the use on behalf of belligerents of telegraph or telephone cables, or of wireless telegraph apparatus, belonging to it or to Companies or private individuals.

Article 9.

A neutral Power must apply impartially to the belligerents every restriction or prohibition which it may enact in regard to the matters referred to in Articles 7 and 8.

The neutral Power shall see that the above obligation is observed by Companies or private owners of telegraph or telephone cables or wireless telegraphy apparatus.

Article 10.

The fact of a neutral Power resisting, even by force attempts to violate its neutrality cannot be regarded as a hostile act.

CHAPTER II.

INTERNMENT OF BELLIGERENTS AND CARE OF THE WOUNDED IN NEUTRAL TERRITORY.

Article 11

A neutral Power which receives on its territory troops belonging to the belligerent armies shall intern them, as far as possible, at a distance from the theatre of war.

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It may keep them in camps and may even confine them in fortresses or in places set apart for the purpose.

It shall decide whether officers may be left free on giving their parole not to leave the neutral territory without permission.

Article 12.

In default of special Agreement, the neutral Power shall supply the interned with food, clothing and relief which the dictates of humanity prescribe.

At the conclusion of peace the expenses caused by the internment shall be made good.

Article 13.

A neutral Power which receives escaped prisoners of war shall leave them at liberty. If it allows them to remain in its territory it may assign them a place of residence.

The same rule applies to prisoners of war brought by troops taking refuge in the territory of a neutral Power.

Article 14.

A neutral Power may authorize the passage into its territory of the sick and wounded belonging to the belligerent armies, on condition that the trains or other methods of transport by which they are conveyed shall carry neither combatants nor war material. In such a case, the neutral Power is bound to take whatever measures of safety and control are necessary for the purpose.

The sick and wounded of one belligerent brought under these conditions into neutral territory by the other belligerent must be so kept by the neutral Power as to ensure their taking no further part in the military operations. The same duty shall devolve on the neutral State with regard to the sick and wounded of the other army who may be committed to its care.

Article 15.

The Geneva Convention applies to the sick and wounded who are interned in neutral territory.

CHAPTER III
NEUTRAL PERSONS.

Article 16.

The subjects or citizens of a State which is not taking part in the war are deemed neutrals.

Article 17.

A neutral cannot claim the benefit of his neutrality:

a) If he commits hostile acts against a belligerent;
b) If he commits acts in favour of a belligerent, particularly if he voluntarily enlists in the ranks of the armed force of one of the parties.

In such a case, the neutral shall not be more severely treated by the belligerent as against whom he has abandoned his neutrality than a subject or citizen of the other belligerent State could be for the same act.

Article 18

The following shall not be considered as acts committed in favour of one belligerent within the meaning of Article 17, letter (b);

(a) the furnishing of supplies or the making of loans to one of the belligerents, provided that the person so doing neither lives in the territory of the other party nor in territory occupied by it, and that the supplies do not come from such territory;

(b) Services rendered in matters of police or civil administration.

CHAPTER IV
RAILWAY MATERIAL

Article 19

Railway material coming from the territory of neutral Powers, whether it be the property of the said Powers or of Companies or private persons, and recognizable as such, shall not be requisitioned or utilized by a belligerent except in so far as is absolutely necessary. It shall be sent back as soon as possible to the country of origin.

A neutral Power may likewise, in case of necessity, retain and utilize to a corresponding extent railway material coming from the territory of the belligerent Power.

Compensation shall be paid on either side in proportion to the material used, and to the period of usage.

CHAPTER V.
FINAL PROVISIONS.

Article 20.

The provisions of the present Convention do not apply between Contracting Powers, and then only if all the belligerents are parties to the Convention.

Article 21.

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a Protocol signed by the Representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the Protocol relating to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification shall be immediately sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference as well as to the other Powers which have acceded to the Convention. The said Government shall, in the cases contemplated in the preceding paragraph, inform them at the same time of the date on which it received the notification.

Article 22.

Non-Signatory Powers may accede to the present convention.

H1150 - 0019

H1150 – 0020

A Power which desires to accede notifies its intention in writing to the Netherland Government, forwarding to it the act of accession, which shall be deposited in the archives of the said Government.

The said Government shall immediately forward to all the other Powers a duly certified copy of the notification as well as of the act of accession, mentioning the date on which it received the notification.

Article 23.

The present Convention shall take effect, in the case of the Powers which were parties to the first deposit of ratifications, sixty days after the date of the Protocol recording such deposit, and, in the case of the Powers which shall ratify subsequently or which shall accede, sixty days after the notification of their ratification or of their accession has been received by the Netherland Government.

Article 24

In the event of one of the Contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The dunnunciation shall only operate in respect of the denouncing Power, and only on the expiry of one year after the notification has reached the Netherland Government.

Article 25

A register kept by the Netherland Ministry of Foreign Affairs shall record the date of the deposit of ratifications effected in virtue of Article 21, paragraphs 3 and 4, as well as the date on which the notifications of accession (Article 22, paragraph 2) or of denunciation (Article 24, paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Done at The Hague, the 18th October, 1907, in a single original, which shall remain deposited in the archives of the Netherland Government, and of which duly certified copies shall be sent, through the diplomatic channel to the Powers invited to the Second Peace Conference.

1182)

U. S. Exhibit 3
Filed Dec. 5, 1945

T C 5

SECTION III.

LEFT BANK OF THE RHINE

Article 42.

Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometers to the East of the Rhine.

Article 43

In the area defined above the maintenance and the assembly of armed forces, either permanently or temporarily, and military manoevres of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

Article 44.

In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world.

1935)

H1150 - 0021

H1150-0022

TC 46

Enclosure in No. 106.

Translation of German Memorandum of March 7, 1936.

IMMEDIATELY after being informed of the Pact between France and the Union of Socialist Soviet Republics, concluded on the 2nd May, 1935, the German Government drew the attention of the other signatory Powers of the Locarno Rhine Pact to the fact that the obligations, which France has undertaken in the new Pact, are not compatible with her obligations arising out of the Rhine Pact. The German Government then explained their point of view in full detail and in both its legal and political aspects - in its legal aspect in the German Memorandum of the 25th May, 1935, in its political aspects in the many diplomatic conversations which followed on that Memorandum. It is also known to the Governments concerned that neither their written replies to the German Memorandum, nor the arguments brought forward by them through the diplomatic channel or in public declarations, were able to invalidate the German Government's point of view.

In fact, all the diplomatic and public discussions which have taken place since May 1935 refarding these questions, have only been able to confirm on all points the view expressed by the German Government at the outset.

1. It is an undisputed fact that the Franco-Soviet Pact is exclusively directed against Germany.

2. It is an undisputed fact that in the Pact France undertakes, in the event of a conflict between Germany and the Soviet Union, obligations which go far beyond her duty as laid down in the Covenant of the League of Nations, and which compel her to take military action against Germany even when she cannot appeal either to a recommendation or to an actual decision of the Council of the League.

3. It is an undisputed fact that France, in such a case, claims for herself the right to decide on her own judgment who is the aggressor.

4. It is thereby established that France has undertaken towards the Soviet Union obligations which practically amount to undertaking in a given case to act as if neither the Covenant of the League of Nations, nor the Rhine Pact, which refers to the Covenant, were valid.

This result of the Franco-Soviet Pact is not removed by the fact that France, in the Pact, makes the reservation that she does not wish to be bound to take military action against Germany if by such action she would expose herself to a sanction on the part of the guarantor Powers, Italy and Great Britain. As regards this reservation, the decisive fact remains that the Rhine Pact is not based only on the obligations of Great Britain and Italy as guarantor Powers, but primarily on the obligations established in the relations between France and Germany. Therefore it matters only whether France, in undertaking these treaty obligations, has kept herself within the limits imposed on her so far as Germany is concerned by the Rhine Pact.

This, however, the German Government must deny.

The Rhine Pact was intended to achieve the object of securing peace in Western Europe by providing thatGermany on the one hand and France and Belgium on the other hand, in their relation to one another, should renounce for all future time the use of military force. If at the time of the conclusion of the pact certain exceptions to this renunciation of war going beyond the right of self-defence were admitted, the political reason for this, as is generally known, lay solely in the fact that France had already undertaken certain obligations towards Poland and Czechoslovakia which she did not wish to sacrifice to the conception of absolute security in the West. Germany, with her own clear conscience in regard to the matter, at the time accepted these limitations on the renunciation of war. She did not raise objections to the treaties with Poland and Czechoslovakia, laid by France on the table at Locarno, solely on the obvious condition that these treaties were in conformity with the construction of the Rhine Pact, and contained no sort of provisions regarding the application of article 16 of the Covenant of the League of Nations, such as those contained in the new Franco-Soviet agreements. The contents of these special agreements, as then notified to the German Government, fulfilled this condition.

The exceptions admitted in the Rhine Pact were not, it is true, specifically confined to Poland and Czechoslovakia, but were formulated as an abstract principle. Nevertheless, the intention of all the negotiations relating to these questions was merely to find a compromise between the renunciation of war by Germany and France, and the wish of France to maintain the obligations which she had already undertaken towards her Allies. If, therefore, France now utilises the abstract provisions of the Rhine Pact, which permit the possibility of war, in order to conclude a fresh alliance against Germany with a Power highly armed in a military sense; if she thus further, and in so decisive a manner, restricts the scope of the renunciation of war agreed upon with Germany; and if in this connection, as shown above, she does not even observe the fixed formal legal limits, she has created an entirely new situation, and has destroyed the political system of the Rhine Pact, not only in theory but also in fact.

The latest debates and decisions of the French Parliament have shown that France, in spite of the German representations, is determined to put the pact with the Soviet Union definitely into force. A diplomatic conversation has even revealed that France already regards herself as bound by her signature of this pact on the 2nd. May, 1935. In the face of such a development of European politics, the German Government, if they do not wish to neglect or to abandon the interests of the German people which they have the duty of safeguarding, cannot remain inactive.

The German Government have continually emphasised during the negotiations of the last years their readiness to observe and fulfil all the obligations arising from the Rhine Pact as long as the other contracting parties were ready on their side to maintain the pact. This obvious and essential condition can no longer be regarded as being fulfilled by France. France has replied to the repeated friendly offers and peace-assurances made by Germany by infringing the Rhine Pact through a military alliance with the Soviet Union exclusively directed against Germany. In this manner, however, the Locarno Rhine Pact has lost its inner meaning and ceased in practice to exist. Consequently, Germany regards herself for her part as no longer bound by this dissolved treaty. The German Government are now constrained to face the new situation created by this alliance, a situation which is rendered more acute by the fact that the Franco-Soviet Treaty has been supplemented by a Treaty of Alliance between Czechoslovakia and the Soviet Union exactly parallel in form. In accordance with the fundamental right of a nation to secure its frontiers and ensure its possibilities of defence, the German Government have today restored the full and unrestricted sovereignty of Germany in the demilitarised zone of the Rhineland.

In order, however, to avoid any misinterpretation of their intentions and to establish beyond doubt the purely defensive character of these measures, as well as to express their unchangeable longing for a real pacification of Europe between States which are equals in rights and equally respected, the German Government declare themselves ready to conclude new agreements for the creation of a system of peaceful security for Europe on the basis of the following proposals:-

(1) The German Government declare themselves ready to enter at once into negotiations with France and Belgium with regard to the creation of a zone demilitarised on both sides, and to give their agreement in advance to any suggestion regarding the depth and nature thereof on the basis of full parity.

(2) The German Government propose, for the purpose of ensuring the sanctity and inviolability of the boundaries in the West, the conclusion of a non-aggression pact between Germany, France and Belgium, the duration of which they are ready to fix at twenty-five years.

(3) The German Government desire to invite Great Britain and Italy to sign this treaty as guarantor Powers.

(4) The German Government agree, in case the Netherlands Government should so desire and the other contracting Parties consider it appropriate, to bring the Netherlands into this treaty system.

(5) The German Government are prepared, in order to strengthen further these security agreements between the Western Powers, to conclude an air pact calculated to prevent in an automatic and effective manner the danger of sudden air attacks.

H1150 - 0023

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(6) The German Government repeat their offer to conclude with the States bordering Germany in the East non-aggression pacts similar to that with Poland. As the Lithuanian Government have in the last few months corrected their attitude towards the Memel Territory to a certain extent, the German Government withdraw the exception which they once made regarding Lithuania and declare their readiness, on condition that the guaranteed autonomy of the Memel Territory is effectively developed, to sign a non-aggression pact of this nature with Lithuania also.

(7) Now that Germany's equality of rights and the restoration of her full sovereignty over the entire territory of the German Reich have finally been attained, the German Government consider the chief reason for their withdrawal from the League of Nations to be removed. They are therefore willing to re-enter the League of Nations. In this connection the express the expectation that in the course of a reasonable period the question of colonial equality of rights and that of the separation of the League Covenant from its Versailles setting may be clarified through friendly negotiations.

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T C 6

SECTION VI. AUSTRIA.

Article 80.

Germany acknowledges and will respect strictly the independance of Austria within the frontiers which may be fixed in a treaty between that State and the Principal Allied and Associated Powers; she agrees that this independance shall be inalienable, except with the consent of the Council of the League of Nations.

1934)

H1150 – 0026

TC.47.

[R 2665/137/3]

No. 87.

Sir N. Henderson to Viscount Halifax. - (Received March 16).

(No. 241.)

HIS Majesty's Ambassador at Berlin presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to Berlin telegram No. 100, has the honour to transmit to him a copy of a proclamation of the Führer on the 12th March, 1938, respecting Austria.

Berlin, March 12, 1938

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Enclosure in No. 87.

(Translation.)

Proclamation of the Führer which was Broadcast to-day at Midday by Dr. Goebbels from all German and Austrian Stations.

Germans!

FOR years we have observed with deep sorrow the fate of our comrades in Austria.

An eternal, historical connexion, which was first broken in the year 1866 but in the world war received a new seal, has joined Austria since earliest times to the fate and community of the German people. The wrong which has been done to Austria, first from without and then from within, we have felt as though it were our own; just as we know that the misfortunes of the Reich have been to the millions of German Austrians the cause of similar anxiety and sympathy.

When in Germany the nation, thanks to the victory of the National Socialist idea, again discovered the path to the proud self-consciousness of a great people, in Austria a new period of suffering and bitter hardship began. A régime which lacked all legal authority attempted to maintain, by the most brutal methods of terror, of physical and economic repression and oppression, an existence which was rejected by the overwhelming majority of the Austrian people. Thus, we, a great people, were forced to stand by while more than 6 million men and women of similar origin as ourselves were oppressed by a numerically small minority simply because they had managed to obtain possession of the necessary organs of power.

The deprivation and gagging of political rights was accompanied by a deterioration in the economic sphere which was in frightful contrast to the blossoming of new life in Germany.

Who could find fault with our unfortunate comrades for casting longing looks in the direction of the Reich - in the direction of that Germany with whom their forefathers had been allied through so many centuries, with whom they had fought shoulder to shoulder in the greatest war of all times, whose culture was their culture, to which they themselves in many fields had made such valuable contributions? To suppress such sentiments was nothing less than to condemn hundreds of thousands of men and women to the most profound spiritual anguish.

But even though this wrong was patiently borne for many years, yet a time came when, with the increasing respect in which the Reich was held, the will to cast off this oppression became ever more vehement.

Germans! I have attempted in the last years to warn the late authorities in Austria of the danger of their ways. Only a madman could believe it possible to suppress indefinitely by methods of terrorism a people's love for the principles of its origin. European history has shown that in such cases only a greater fanaticism is bred. This fanaticism then compels the oppressor to adopt ever harsher methods of suppression, which only increase the hatred and the horror of those affected.

I have also tried to convince the responsible authorities that it would be impossible, because unworthy, for a great nation to continue to see kindred men and women oppressed, persecuted and imprisoned only on account of their origin or their avowal thereof or because of their devotion to an idea. Over 40,000 fugitives have fled to Germany alone, 10,000 others in this small country have passed through the prisons, dungeons and concentration camps, hundreds of thousands have

een reduced to beggary and impoverished. No nation could continue to tolerate uch incidents on its borders without deserving the contempt of the world.

I attempted in 1936 to find a way which might offer the prospect of alleviating the tragic fate of this German brother country in order thus to reach a eal reconciliation. Hardly, however, was the agreement of the 11th July signed efore again being broken. The suppression of the rights of the overwhelming ajority remained, their unworthy position as pariahs in the country was not ltered. Those who openly avowed their German origin were persecuted, irrespective of whether they were National Socialist crossing-sweepers or illustrious ommanders in the Great War.

I then tried a second time to effect an understanding. I made efforts, I he appointed Führer of the German people, I made efforts to convince the representative of this régime, though he had no authorised mandate from his people, that his state of affairs could not possibly last since the increasing indignation of he Austrian people could not be for ever held down with increasing force, and that rom a given moment it would also be intolerable for the Reich to look on at such ppression unprotesting.

For, if to-day the solution of the colonial problem is made dependent on uestions of self determination on the part of the lower types of humanity conerned, it is all the more intolerable that 6½ million members of a great and ncient cultural people should by reason of the nature of its régime in practice e deprived of such rights.

I therefore wished in a new agreement to effect that in this country all ermans should be subject to the same rights and to the same obligations. This rrangement was to be a complement to the treaty of the 11th July, 1936.

A few weeks later we had, however, regretfully to note that the members of he late Austrian Government did not propose to carry out the spirit of this greement. In order, however, to manufacture an alibi for their continued refusal f equal rights to the Austrian Germans, a plebiscite was devised with the object f irrevocably depriving the majority of this country of their rights. The modalities of this procedure were to be unique. A country which for many years had ad no election at all, which lacked all data for determining those eligible to ote, prescribes an election which was to take place within a bare three and a alf days!

There are no election lists, no election cards. There is no investigation f the eligibility of voters, no obligation of secrecy, no guarantee for the impartial conduct of the ballot, no security as regards the counting of votes, etc. f these are the methods to give a régime the character of legality, then we ational Socialists in the German Reich were nothing but fools for fifteen years! e went through hundreds of elections in order to obtain painfully the approval f the German people.

When the late Reichspräsident finally called me to office I was the leader f by far the strongest party in the Reich. Since then I have always attempted o have the legality of my position and of my actions confirmed by the German eople, and they have been confirmed. But if Herr Schuschnigg's methods are the ight ones, then the plebiscite in the Saargebiet was merely the chicanery of a eople whose return to the Reich it was wished to make more difficult.

But we here think otherwise! I think we may all be proud of the fact that ven on the occasion of the voting in the Saar territory we obtained the confidence f the German people in so irreproachable a manner.

The German people in Austria have at last risen against this unique attempt o hold a falsified election. If, however, the régime had intended this time to uppress the movement of protest by force, then the event could only have led to further civil war. But the German people from now on does not allow Germans o be persecuted in this territory because of their belonging to our nation or ecause of their avowal of certain convictions. It insists on peace and order!

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H1150 – 0028

I have therefore decided to place the help of the Reich at the disposal of the millions of Germans in Austria. Since this morning the soldiers of the German armed forces have been marching across all the German-Austrian frontiers! Mechanised troops, infantry divisions and S.S. troops on the ground and squadrons of German aeroplanes in the blue heavens - summoned by the new National Socialist régime itself in Vienna - will be a guarantee that the Austrian people will at last in the near future have the opportunity, by means of a real plebiscite, to decide for itself its future destiny. Behind these troops stand the will and the determination of the whole German nation.

I myself, as leader and Chancellor of the German people, will be happy once more as a German and free citizen to visit again that country, which is also my home. But the world may rest assured that the German people in Austria in these days are living hours of deepest joy and exultation.

They see in the brothers hastening to their help the saviours from their deepest need. Long live the National Socialist German Reich! Long live National Socialist Austria!

March 12, 1938.

H1150 - 0029

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SECTION X

MEMEL

Article 99.

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territories included between the Baltic, the north eastern frontier of East Prussia as defined in Article 28 of Part II (Boundaries of Germany) of the present Treaty and the former frontier between Germany and Russia.

Germany undertakes to accept the settlement made by the Principal Allied and Associated Powers in regard to these territories, particularly in so far as concerns the nationality of the inhabitants.

1850)

(703) T.C. 53A.

Marginal Note to the law concerning the Reunion of the Memel Territory with the German Reich of 23 March 1939.

D. d.d. P. Vol. VII Pt.2 P. 552.
Note 2.

The transfer commissioner (Ueberleitungskommissar) for the Memel Territory, Gauleiter and Oberpresident Erich Koch, effected on 3 April 1939 during a conference at Memel the final incorporation of the late Memel Territory into the national-socialist party Gau of East Prussia and into the state administration of the East-Prussian Regierungsbezirk of Grunbinnen.

H1150 – 0030

THE TREATY OF VERSAILLES, JUNE 28th, 1919.

SECTION XI.

FREE CITY OF DANZIG.

Article 100.

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territory comprised within the following limits:

from the Baltic Sea southwards to the point where the principal channels of navigation of the Nogat and the Vistula (Weichsel) meet:

the boundary of East Prussia as described in Article 28 of Part II (Boundaris of Germany) of the present Treaty;

thence the principal channel of navigation of the Vistula downstream to a point about 6½ kilometres north of the bridge of Dirschau;

thence north-west to point 5, 1½ kilometres south-east of the church of Güttland:

a line to be fixed on the ground;

thence in a general westerly direction to the salient made by the boundary of the Kreis of Berent 8½ kilometres north-east of Schöneck :

a line to be fixed on the ground passing between Mühlbanz on the south and Rambeltsch on the north;

thence the boundary of the Kreis of Berent westwards to the re-entrant which it forms 6 kilometres north-north-west of Schöneck;

thence to a point on the median line of Lonkener See:

a line to be fixed on the ground passing north of Neu Fietz and Schatarpi and south of Barenhütte and Lonken;

thence the median line of Lonkener See to its northernmost point;

thence to the southern end of Pollenziner See:

a line to be fixed on the ground;

thence the median line of Pollenziner See to its northernmost point;

thence in a north-easterly direction to a point about 1 kilometre south of Koliebken church, where the Danzig-Neustadt railway crosses a stream:

a line to be fixed on the ground passing south-east of Kamehlen, Krissau, Fidlin, Sulmin (Richthof), Mattern, Schäferei, and to the north-east of Neuendorf, Marschau, Czapielken, Hoch- and Klein-Kelpin, Pulvermühl, Rennenberg and the towns of Oliva and Zoppot;

thence the course of the stream mentioned above to the Baltic Sea.

The boundaries described above are drawn on a German map, scale 1/100,000, attached to the present Treaty (Map No. 3).

H1150 – 0031

Translation of extract from
"Danzig's return to the Reich." -

D.d.d.P. VII 2, Page 575.

Simultaneously with the German counter-attack against Poland which opened early on September 1st, military operations were commenced against Danzig. Of all the numerous Polish strong points in the town proper, such as the central station, the railway post office, the railway directorate, etc., only the garrison at the Polish Post Office (formerly the Danzig garrison hospital) at the Heveliusplatz offered serious resistance,; this was however broken late in the afternoon of September 1st by the county police (Landespolizei) and S.S. Heimwehr who made use of heavy guns. The artillery training ship "Schleswig Holstein", which had entered Danzig harbour during the morning of August 25th, and German dive bombers were used against the Westerplatte, which the Poles had fortified heavily, in breach of agreements, and garrisoned with about 240 men; they surrendered unconditionally on September 7th. Thus the whole extent of the free state territory had been liberated. Gauleiter Forster in his capacity as head of the Danzig state awarded, with the Fuhrer's consent, w.e.f. August 31st the "Cross of Danzig" to all those who had rendered services to the "development of the national-socialist party in the Gau Danzig and the national-socialist state of Danzig."

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H1150 - 0033

Marginal Note to "The Fuhrer's reply telegram To Gauleiter Forster of 1 Sept 39".

D. d.d. Vol. VII. Pt. 2. P. 596.
Note 2.

The same day (translator's note: 1 Sep 39) the Supreme Commander of the Army, Colonel General von Brauchitsch, issued the following appeal to the people of Danzig and had it publicly displayed in all the late free state territory (Voelkischer Beobachter' dated 2 September, 1939):

"German Co-nationals !

The hour of your return to the Greater German fatherland has struck. German troops have brought your land into the orbit of the Reich's protection and supreme authority. The Fuhrer and Supreme Commander of the Wehrmacht has vested in me executive powers within the territory of the former Free State of Danzig. I have entrusted the G.O.C. (Oberbefahrhaber) troop, East Prussia, (General von Knechler), with this function and I am placing Gauleiter Forster as head of the civil administration at his disposal.

All regulations issued will be for the good of our Fatherland and of every single one of you, and are necessary to facilitate the fulfilment of the Vehrmachts' tasks. All authorities and other official services will continue their functions.

In this great and decisive hour I am confident that you will follow the Fuhrer with the same unbreakable faith, unity and ready devotion as in the past.

Long Live the Fuhrer !

The Supreme Commander of the Army.

(Sgd) von Brauchitsch.

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SECTION VII

CZECHO-SLOVAK STATE.

Article 81.

Germany, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of the Czecho-Slovak State which will include the autonomous territory of the Ruthenians to the south of the Carpathians. Germany hereby recognizes the frontiers of this State as determined by the Principal Allied and Associated Powers and the other interested States.

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T.C. 48
vide 2798-PS
Exhibit USA 118

Conference between the Führer and Chancellor of the Reich and the President of the Czechoslovak States Hacha in the presence of Reich Foreign Minister Ribbentrop and of the Czechoslovak Foreign Minister Chvalkowsky in the Reich-Chancery on the 15th March 1939, 1.15 - 2.15 a.m.

There were also present:

Field Marshal (Generalfeldmarschall) Göring
General Keitel
State Secretary (Staatssekretär) Weizsäcker
Minister of State Meissner
State Secretary Dietrich
Counsellor (legationsrat) Hewel.

State President Hacha greets the Führer and expresses his thanks for being received by him. For a long time he had been desirous of meeting the man whose wonderful ideas he had often read and followed. (Every one sits down).

HACHA; He was an unknown person until recently. He had never dabbled in politics, he had been just a judical official in the Viennese civil service and as such he had deliberately taken no part in politics in order to be unbiased towards the Parties, with which he had to deal as a judge. In 1918 he had been called to Prague and in 1925 was appointed president of the Verwaltungsgerichtshof (Supreme Court of Administrative Law). In this capacity he had had no relations with the politicians or, as he preferred to say, with the so-called politicians (Politikastern), and it was only rarely that he had come into contact with them. He must mention at the outset that he had also had hardly any relations with the Government and that he had confined his intercourse with the members with the Government to a minimum. He had never been persona grata. He used to meet President Masaryk only once a year at a dinner of the judges. Benes /he met/ even less frequently. The only time he had met the latter misunderstandings had occurred. For the rest the whole regime had been alien to him, in fact so much so that immediately after the sudden change (Umschwung)* he had asked himself whether it was really a good thing for Czechoslovakia to be an independent state. This autumn the task had been allotted to him of becoming head of the state. He was an old man. He had overcome his doubts when it was shown him that it was his patriotic duty to take over the office. By accepting it the most difficult task of his life had fallen on him, and, therefore, he had dared to ask the Führer to receive him.

He was convinced that the fate of Czechoslovakia lay in the hands of the Führer and he believed that her fate was safe in the Führer's hands. He need not deplore what had happened in Slovakia recently. He had been convinced for a long time that it was impossible for the various peoples to live together in this /single/ body politic. Although their languages resembled each other to a certain extent they had developed along very different lines. Czechoslovakia was more closely related to Germany than to Slovakia, which showed a stronger inclination towards the Magyars. The Czechs had maintained relations only with the Evangelical Slovaks, whilst the Catholic Slovaks had been rejected by the Czechs. These were the reasons why a good understanding could never be achieved and he was glad that the development had followed this path. He was not alone in holding this view, but was sure that 80 per cent of the population shared it with him.

Half an hour ago he had received reports that the Carpatho-Ukraine had proclaimed its independence. He was of the opinion that the Führer's experiences with regard to the Slovaks would be none too good. During these last few days rumours about a violation of the constitution in Prague had

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* Translator's note: The reference is obviously to the events connected with the Munich Agreement of September 1938.

H1150-0036

doubtless reached the Führer's ears. This breach of the constitution would probably be laid to his (Hacha's) charge. But being a lawyer he knew that the dismissal of the government had been based on sound legal foundations. Moreover the constitution itself had not been respected by part of the Czech government. Unfortunately incidents had occurred in this connection which he regretted, they had however taken place as a consequence of measures connected with the maintenance of order. These incidents had not been intended. For the rest he did not shed any tears over Slovakia.

Now he came to the point which concerned him most, the fate of his people. He believed that the Führer, especially would understand him when he expressed his opinion that Czechoslovakia had the right to wish to live her own national life. Naturally, the geographical position of Czechoslovakia made the existence on the friendliest terms with Germany necessary. This must be the foundation of a distinct national life. The greater part of the Czech people shared this conviction. There were, of course, some exceptions, but the fact that the new Czechoslovakia had only been in existence for six months had to be kept in mind. The charge had been made that there were still many followers of the Benes system in Czechoslovakia. But the persons who were named are not the ones. This system only had any friends in journalistic circles. The government with all the means at its disposal was resolved to reduce them to silence. This was practically all he wanted to state.

The Führer answered and expressed his regret for having had to ask the President to undertake this journey. This morning however after careful consideration he had reached the conclusion that, in spite of the advanced age of the President, this journey might prove of great service to his country, since Germany's attack was only a matter of hours. The German Reich had in principle no animosity against any other nations. Nations which do not wrong us are dear to us or at the least uninteresting. The German people harbour no hatred against Czechoslovakia. Czechoslovakia, however, had adopted an entirely different attitude towards us. The Führer quoted several occasions when, during great political events, this attitude had manifested itself, e.g. during the occupation of the Rhineland. Czechoslovakia had then sent a memorandum to France declaring that, if that country would take military measures against Germany, Czechoslovakia would be prepared to assist her. Czechoslovakia had done this in spite of the fact that the territory in question was purely German. The same attitude was shown by her on many other occasions, e.g. against Italy during the Abyssinian conflict etc. The situation had become unbearable by 1938. On May 28th, therefore, he had decided to face the consequence. He had no animosity against any nation, but he was the most ruthless defender of the rights of his own people and in that struggle he was determined to take any step. He would be the frontline soldier who stands and fights for his conviction, ruthlessly and without any scruples. For the rest the existence of the remainder of Czechoslovakia was only due to his loyal attitude. At the risk of incurring the hostility of a friendly Hungary he had stopped her political ambitions and had forced her to solve the problem, like Germany, only according to ethnographical principles, although the craziest situation, both [from the point of view] of economics and of customs duties, resulted from it. He had accepted these restrictions not because he could not have acted differently, but because he was convinced that this was the correct way. For the other countries Czechoslovakia had been merely a means to an end. London and Paris had shown themselves in no position to do anything for Czechoslovakia.

Slovakia was a matter of complete indifference to him. Had Slovakia established closer connections with Germany, this would have been a commitment for Germany and he was, therefore, glad not to be under any obligations now. East of the Lower Carpathian Mountains he had no interest at all. Last autumn he had not wanted to push things to an extreme because he then still thought it possible to live together. At that time, and also later on in his discussions with Chvalkowsky, he did not leave any doubt that he would ruthlessly break up that State unless the Benes tendencies disappeared altogether. Chvalkowsky had then understood this and had asked the Führer to

The Führer agreed, but months elapsed without any change being brought about. The new regime did not succeed in uprooting the old one psychologically. This could be seen from the Press, the whispering propaganda, the dismissal of Germans, and from many other facts symbolical to him of the whole situation. At first he had not realised this but when he became fully aware of it, he had definitely drawn his conclusions since, if matters continued to develop in this way, the [German] situation towards Czechoslovakia would have become the same as it had been 6 months ago. Why did Czechoslovakia not immediately reduce her army to a reasonable strength? Such an army represented an enormous burden to such a State, since its only significance was to support the State's foreign policy. Czechoslovakia's foreign policy, however, had no longer a mission to fulfil so that there was no point in retaining such an army. He quoted several instances which had shown him that the spirit of the army had not changed. From this particular feature he gained the conviction that for the future the army too meant a serious liability in a political respect. In addition there was the inevitable development arising from economic necessity and furthermore the protests of the national groups, who could no longer endure such a life.

"Last Sunday, therefore, for me the die was cast. I summoned the Hungarian envoy and notified him that I was going to withdraw my [restraining] hands from that country". Now we were facing this situation and he had issued the order for the German troops to march into Czechoslovakia, and for the incorporation of this country into the German Reich. He intended to grant Czechsolovakia the fullest autonomy and a distinct life, more than she had ever enjoyed under the Austrian regime. Germany's attitude towards Czechoslovakia would be derined tomorrow and the day after and would be dependant on the behaviour shown by the Czech people and army towards the German troops. He had no longer confidence, in the Government. Though believing in Hacha's and Chvalkowsky sincerity and honesty he doubted whether the Government would be able to exert an effective control over the whole population. To-day the German army was already marching and resistance offered at one barracks had been ruthlessly crushed whilst another was said to have given in when the heavy artillery was ordered out.

That morning at 6 am the German Army would invade Czechoslovakia at all points, and the German Air Force would occupy all Czech airports. There were two possibilities. The first was that the invasion of the German troops might develop into a battle. This resistance would then be broken down by force of arms with all available means. The other was that the entry of the German troops should take place in a peaceable manner, and then it would be easy for the Führer, in the course of the new development of Czech life, to give to Czechoslovakia an individual existence on a generous scale, autonomy and a certain amount of national freedom.

We were living, at that moment, through a great turning point in history. He did not wish to torment or to de-nationalise the Czechs. He was doing all this, not out of hate, but in order to protect Germany. If, in the autumn of the preceding year, Czechoslovakia had not yielded, the Czech people would have been utterly destroyed. Nobody could have prevented him from doing it then. It was his will that the Czech people should develop on their own national lines, and he believed firmly that a form for this could be found, in which it would be possible to meet, to a great extent, Czech wishes. If, tomorrow, it came to a fight, any pressure would produce counter-pressure, and it would no longer be possible for him to give the promised alleviations. In two days the Czech army would cease to exist. Some Germans would, of course, also be killed, and this would produce a feeling of hatred which would compel him, from motives of self-preservation, to refuse any longer to grant autonomy. The world would not care a jot about this. He felt sorry for the Czech people when he read the foreign press. It gave him the sort of impression expressed by the German proverb: "The Moor has done his duty, the Moor can go".

That was the state of affairs. There were two courses open to Germany, a stern one offering no concessions and, bearing the past in mind,

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desiring that Czechoslovakia should be crushed with bloodshed, and the other in accordance with his proposals stated above.

That was the reason why he had asked Hacha to come here. This invitation was the last good service he would be able to render to the Czech people. If it came to fighting, then the bloodshed would compel us to hate also. But perhaps Hacha's visit might avert the worst. Perhaps he would contribute to the finding of a plan which would be much more far-reaching for Czechoslovakia than any they could ever have hoped for in the old Austrian Empire. His sole aim was to procure the essential security for the German nation.

The hours were passing. At 6 o'clock the troops would march in. He felt almost ashamed to say that, for every Czech battalion, a German division would come. The military operation was not a trifling one, but had been put in hand on the largest scale. He would advise him to withdraw now with Chvalkowsky in order to discuss what should be done.

Hacha says, that the situation is completely clear to him and that any resistance to this would be foolish. But he would ask the Führer how it could be arranged, within four hours to hold back the entire Czech nation from offering resistance. The Führer says that he is at liberty to consult his advisers (Herren). The military machine now in motion cannot be stopped. He should appeal to his Prague authorities. It might be a great decision, but he could see the possibility dawning of a long period of peace between the two nations. Should the decision be otherwise he could see the annihilation of Czechoslovakia.

Hacha asks, whether the whole purpose of the entry (of the troops) is to disarm the Czech Army. This might perhaps be done in some other way.

The Führer says, that his decision is irrevocable. Everyone knows what a decision by the Führer means. He could see no other practical method of disarmament, and asks the others present whether they agree with him, which they confirm. The only possibility of disarming the Czech Army would be by the German army.

For Hacha the path he was taking to-day was the most difficult in his life, but he believed that in a few years' time this decision would be regarded as understandable and in 50 years probably as a fortunate one.

At this point both Czechs withdraw.

After the discussion between Hacha and Chvalkowsky and our representatives, at the conclusion of which the wording of the agreement had been settled, the representatives mentioned at the beginning of the report met again for a concluding discussion in the Führer's study. The military position is reviewed fully again and the Field-Marshal gives a detailed description of the situation. The Führer considers that possibly here and there Hacha's message might not have penetrated and this might lead to clashes, but on the whole one might count upon an entry without opposition.

The Führer goes on to say that he believes that in spite of any bitterness that would be caused by the entry and occupation by the German Reich, slowly the knowledge will emerge of the benefit to be derived from a century-long common life of the two nations. The idea that the two peoples must struggle against one another would disappear. Czechoslovakia was an integral part of the German Reich and every man's reason must tell him that only closest co-operation must be the watchword. In addition, the problem of de-nationalization is of no significance as this is quite remote from the German people themselves and also the National-Socialist ideology. We desire and intend no de-nationalization. They on the one hand shall live as Czechs and we wish to live contentedly as Germans. The German Reich could be enormously magnanimous in this sphere.

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Hacha replies that this statement of the Führer's is of the highest importance to him.

The Führer continues that only in the economic, military and political sphere could we brook no opposition. Czechoslovakia should keep her own Head of State, and his principles, which he would put into force, would form the basis for the appeasement of this area for centuries to come.

Hacha interjects that there is then no "soul buying" on the programme, as there had been during the Austrian period and asks whether in the economic sphere a customs union is planned.

The Führer smilingly dismisses the first point, while the Field Marshal answers the second, replying affirmatively to the second question, saying that Germany and Czechoslovakia were one economic unit. In addition Czechoslovakia would get orders which would certainly double her output.

The Führer says that the Czechoslovak people would gain economically from the annexation to Germany, since it would participate in the Greater German economic sphere. He wished not to destroy the Czech economy, but to give it a tremendous impulse.

Hacha asks if any definite directives have already been laid down for this.

The Führer replies that this question is one of an Economic Commission, as to him also the whole thing came as a surprise. A few weeks ago he knew nothing of the whole affair. He referred once again to that period and to Benes' tactics, and finally to May 28th the date on which he confided to a narrow circle his decision to take action.

The Führer closes with the remarks that the settlement now formulated must be conclusive, supportable and unequivocal. In any case the Czechs would have more rights than they had ever given to the Germans in their territory.

Upon this the Agreement was signed by the Führer, the Reich Foreign Minister, Hacha and Chvalkovsky,

(Signed)

HEWEL.

1816

Exhibit U.S.A. 6
Filed Dec. 5, 1945 TO-49

(Translation.)

Text of the Agreement between the Führer and Reichs Chancellor Adolf Hitler and the President of the Czecho-Slovak State, Dr. Hacha.

The Führer and Reichs Chancellor to-day received in Berlin, at their own request, the President of the Czecho-Slovak State, Dr. Hacha, and the Czecho-Slovak Foreign Minister, Dr. Chwalkowsky, in the presence of Herr von Ribbentrop, the Foreign Minister of the Reich. At this meeting the serious situation which had arisen within the previous territory of Czecho-Slovakia, owing to the events of recent weeks, was subjected to a completely open examination. The conviction was unanimously expressed on both sides that the object of all their efforts must be to assure quiet, order and peace in this part of Central Europe. The President of the Czecho-Slovak State declared that, in order to serve this end and to reach a final pacification, he confidently placed the fate of the Czech people and of their country in the hands of the Führer of the German Reich. The Führer accepted this declaration and expressed his decision to assure to the Czech people, under the protection of the German Reich, the autonomous development of their national life in accordance with their special characteristics. In witness whereof this document is signed in duplicate.

ADOLF HITLER.
Von RIBBENTROP.

Dr. HACHA.
Dr. CHWALKOWSKY.

Berlin, March 15, 1939.

(1715)

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Exhibit GB. 7
Filed Dec. 5, 1945

TC 50

(English Translation.)

PROCLAMATION OF THE FUEHRER TO THE GERMAN PEOPLE
15th MARCH 1939

To the German People -

Only a few months ago Germany was compelled to protect her fellow-countrymen, living in well-defined settlements, against the unbearable Czechoslovakian terror regime; and during the last weeks the same thing has happened on an ever increasing scale. This is bound to create an intolerable state of affairs within an area inhabited by citizens of so many nationalities.

These national groups, to counteract the renewed attacks against their freedom and life, have now broken away from the Prague Government. Czechoslovakia has ceased to exist.

Since Sunday at many places wild excesses have broken out, amongst the victims of which are again many Germans. Hourly the number of oppressed and persecuted people crying for help is increasing. From areas thickly populated by German-speaking inhabitants, which last autumn Czechoslovakia was allowed by German generosity to retain, refugees robbed of their personal belongings are streaming into the Reich.

Continuation of such a state of affairs would lead to the destruction of every vestige of order in an area in which Germany is vitally interested, particularly as for over 1,000 years it formed a part of the German Reich.

In order definitely to remove this menace to peace and to create the conditions for a necessary new order in this living space, I have to-day resolved to allow German troops to march into Bohemia and Moravia. They will disarm the terror gangs and the Czechoslovakian forces supporting them, and protect the lives of all who are menaced. Thus they will lay the foundations for introducing a fundamental re-ordering of affairs which will be in accordance with the 1,000-year old history and will satisfy the practical needs of the German and Czech peoples.

Berlin, 15th March 1939.

(Signed) ADOLF HITLER.

ORDER OF THE FUEHRER TO THE GERMAN ARMED FORCES. 15th MARCH 1939.

Czechoslovakia is in dissolution. In Bohemia and Moravia terror against German fellow-countrymen reigns. From 15 March 1939 onwards formations of the German Army and Air Force will enter Czech territory in order to safeguard lives and property of all inhabitants of the country.

I expect every German soldier to consider himself not as an enemy of the inhabitants of the territory to be occupied, but only as an instrument for carrying out the German Reich Government's decision to restore a satisfactory order in that territory. But should resistance be offered anywhere, it will immediately be crushed with all means.

For the rest, remember that you set foot on Czech soil as representatives of Greater Germany.

The Fuehrer and Supreme C-in-C of the Armed Forces

(Signed) ADOLF HITLER.

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Exhibit G.B. 8
Filed Dec. 5, 1945 T C 51

H1150-0042

(C 3398/19/18)

No. 145

Sir N. Henderson to Viscount Halifax. - (Received March 18)

No. 102. Saving)
(Telegraphic) En clair. Berlin, March 16 1939.

MY telegram No. 120

Following is the text of a decree, dated 16th March, issued by Herr Hitler regulating the status of the Protectorate of Bohemia and Moravia:-

"For ten centuries the Bohemian-Moravian lands belonged to the living space of the German people. Force and lack of understanding arbitrarily tore them from their old historical surroundings and finally created a source of permanent unrest by incorporating them within the artificial edifice of Czecho-Slovakia. From year to year the danger that a new, appalling menace to European peace would emanate, as had happened once before in the past, from this living space, increased. For the Czecho-Slovak State, and those in power there, had not succeeded in properly organizing the existence side by side of the national groups arbitrarily united within its boundaries and had thereby failed to awaken the interest of all concerned in the maintenance of their common State. It has thereby proved its inmost incapacity to exist and has for this reason now also fallen into actual dissolution.

"The German Reich, however, cannot tolerate permanent disturbances in these territories that are so all-important to its own peace and security and also so important to the general well-being and universal peace. Sooner or later the Reich, as the Power most interested and affected, by history and geographical position, would have to suffer the most serious consequences. Self-preservation, therefore, requires that the German Reich should be determined to intervene decisively in favour of the restoration of a basis for a reasonable Central European order and should take the requisite measures. For it has already proved in the course of its historical past of a thousand years that it alone, thanks to its greatness and to the qualities of the German people, can be called upon to solve these tasks.

"Filled with the earnest desire to serve the true interests of the peoples domiciled in this living space, to guarantee the individual national life of the German and of the Czech peoples, to benefit peace and the social welfare of all, I therefore decree the following, in the name of the German Reich, as the basis for the future existence in common of the inhabitants of these territories:-

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"Article 1.

"1. The territories which formed part of the former Czecho-Slovak Republic and which were occupied by German troops in March 1939 belong henceforth to the territory of the German Reich and come under the latter's protection as the "Protectorate of Bohemia and Moravia."

"2. In so far as the defence of the Reich demands, the Leader and Chancellor shall take measures differing from the above in respect of individual parts of these areas.

"Article II.

"Inhabitants of the protectorate of German race shall become German nationals and German citizens in accordance with the provisions of the Reich Citizenship Law of the 15th September, 1935 (Reichsgesetzblatt I, Ts 1146). The provisions with regard to safeguarding German blood and German honour shall therefore also apply to them. They shall be subject to German jurisdiction.

"2. The remaining inhabitants of Bohemia and Moravia shall be nationals of the Protectorate of Bohemia and Moravia.

"Article III.

"1. The Protectorate of Bohemia and Moravia is autonomous and self-administering.

"2. It shall exercise its sovereign rights within the scope of the protectorate in consonance with the political, military and economic importance of the Reich.

"3. These sovereign rights shall be represented by its own organs, authorities and officials.

"Article IV.

"The head of the autonomous administration of the Protectorate of Bohemia and Moravia shall enjoy the guard and honours of the head of a State. The head of the protectorate must possess, in order to exercise his functions, the confidence of the Leader and Chancellor of the Reich.

"Article V.

"1. As trustee of Reich interests the Leader and Chancellor of the Reich shall nominate a 'Reich Protector in Bohemia and Moravia.' His seat of office will be Prague.

"2. The Reich Protector, as representative of the Leader and Chancellor of the Reich and as Commissioner of the Reich Government, is charged with duty of seeing to the observance of the political principles laid down by the Leader and Chancellor of the Reich.

"3. The members of the Government of the protectorate shall be confirmed by the Reich Protector. The confirmation may be withdrawn.

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T C 51
(Cont'd)

"4. The Reich Protector is entitled to inform himself of all measures taken by the Government of the protectorate and to give advice. He can object to measures calculated to harm the Reich and, in case of danger, issue ordinances required for the common interest.

"5. The promulgation of laws, ordinances and other legal announcements and the execution of administrative measures and legal judgments shall be annulled if the Reich Protector enters an objection.

"Article VI.

"1. The foreign affairs of the protectorate, especially the protection of its nationals abroad, shall be taken over by the Reich. The Reich will conduct foreign affairs in accordance with the common interest.

"2. The protectorate shall have a representative accredited to the Reich Government with the title of a 'minister'.

"Article VII.

"1. The Reich shall accord military protection to the protectorate.

"2. In the exercise of this protection the Reich shall maintain garrisons and military establishments in the protectorate.

"3. For the maintenance of internal security and order the protectorate may form its own organizations. The composition, strength, numbers and arms shall be decided by the Reich Government.

"Article VIII.

"The Reich shall control directly the transport, post and telegraph systems.

"Article IX.

"The protectorate shall belong to the customs area of the Reich and be subject to its customs sovereignty.

"Article X.

"The crown is legal tender, together with the reichsmark, until further notice.

"2. The Reich Government shall fix the ratio of one to the other.

"Article XI

"1. The Reich can issue ordinances valid for the protectorate in so far as the common interest requires.

"2. In so far as a common need exists, the Reich may take over branches of administration and create its own Reich authorities therefor as required.

"3. The Reich Government may take measures for the maintenance of security and order.

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T C 51
(Cont'd)

"Article XII

"The law at present existing in Bohemia and Moravia shall remain in force so long as it does not conflict with the principle of the assumption of protection by the German Reich.

"Article XIII

"The Reich Minister of the Interior shall issue, in agreement with the other Ministers concerned, the administrative and legal regulations for the execution and amplification of this decree.

"Hitler "Ribbentrop.
"Frick "Lammers

"Prague, March 16."

Exhibit GB 9
Filed Dec. 5, 1942

T C 52

PROTEST BY THE BRITISH GOVERNMENT

against

THE ANNEXATION OF CZECHOSLOVAKIA.

(C 3318/19/18)

No. 143

Viscount Halifax to Sir N. Henderson (Berlin)

(No.68)

(Telegraphic). R,

Foreign Office, March 17 1939.

PLEASE inform German Government that His Majesty's Government desire to make it plain to them that they cannot but regard the events of the past few days as a complete repudiation of the Munich Agreement and a denial of the spirit in which the negotiators of that agreement bound themselves to co-operate for a peaceful settlement.

His Majesty's Government must also take this occasion to protest against the changes effected in Czecho-Slovakia by German Military action, which are, in their view, devoid of any basis of legality.

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H1150 - 0046

TC 53

Exhibit GB 10

Filed Dec. 5, 1945

H1150-0047

(English Translation)

PROTEST BY THE FRENCH GOVERNMENT ON 17TH MARCH 1939 AGAINST THE GERMAN VIOLATION OF THE MUNICH AGREEMENT

M. Georges Bonnet, Minister for Foreign Affairs to M. Coulondre, French Ambassador, Berlin

Paris, 17th March 1939.

Please ask for an audience of the Minister for Foreign Affairs to transmit to him the note of which I enclose the text. (A similar demarche has been ordered for your British colleague).

"By a letter dated March 15th 1939, his Excellency the German Ambassador communicated to the Minister for Foreign Affairs of the French Republic, at the command of his Government, the text of an agreement concluded on the night of March 14/15 between the Fuehrer and Chancellor and the Minister for Foreign Affairs of the Reich on the one hand, and the President and the Minister for Foreign Affairs of the Czechoslovak Republic on the other hand.

"In the same communication it was stated that at 6 o'clock in the morning German troops had crossed the Czechoslovak frontier and that the necessary measures had been taken to prevent any resistance and any bloodshed, and to permit of an orderly and peaceful completion of the occupation and pacification of the territory.

"The French Ambassador has the honour to inform the Minister for Foreign Affairs of the Reich of the formal protest made by the Government of the French Republic against the measures which the communication of Count de Welzeck records.

"The Government of the Republic consider in fact that, in face of the action directed by the German Government against Czechoslovakia, they are confronted with a flagrant violation of the letter and the spirit of the agreements signed at Munich on September 29, 1938.

"The circumstances in which the agreement of March 15 have been imposed on the leaders of the Czechoslovak Republic do not in the eyes of the Government of the Republic legalize the situation registered in that agreement.

"The French Ambassador has the honour to inform his Excellency the Minister for Foreign Affairs of the Reich that the Government of the Republic cannot recognise, under these conditions, the legality of the new situation created in Czechoslovakia by the action of the German Reich".

(Signed) GEORGES BONNET.

H1150-0048

PART V.

MILITARY, NAVAL AND AIR CLAUSES. -

In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow:-

SECTION I

MILITARY CLAUSES

CHAPTER 1

EFFECTIVES AND CADRES OF THE GERMANY ARMY.

Article 159

The German military forces shall be demobilized and reduced as prescribed hereinafter.

Article 160

(1) By a date which must not be later than March 31, 1920 the German Army must not comprise more than seven divisions of infantry and three divisions of cavalry.

After that date the total number of effectives in the Army of the States constituting Germany must not exceed one hundred thousand men, including officers and establishments of depots. The Army shall be devoted exclusively to the maintenance of order within the territory and to the control of the frontiers.

The total effective strength of officers, including the personnel of staffs, whatever their composition, must not exceed four thousand.

(2) Divisions and Army Corps headquarters staffs shall be organized in accordance with Table No.1 annexed to this Section.

The number and strengths of the units of infantry, artillery, engineers, technical services and troops laid down in the aforesaid Table constitute maxima which must not be exceeded.

The following units may each have their own depot:

An Infantry regiment;
A Cavalry regiment;
A regiment of Field Artillery;
A battalion of Pioneers.

(3) The divisions must not be grouped under more than two army corps headquarters staffs.

The maintenance or formation of forces differently grouped or of other organizations for the command of troops or for preparation for war is forbidden.

The Great German General Staff and all similar organizations shall be dissolved and may not be reconstituted in any form.

The officers, or persons in the position of officers, in the Ministries of War in the different States in Germany and in the Administrations attached to them, must not exceed three hundred in number and are included in the maximum strength of four thousand laid down in the third sub-paragraph of paragraph (1) of this Article.

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Article 161

Army administrative services consisting of civilian personnel not included in the number of effectives prescribed by the present Treaty will have such personnel reduced in each class to one tenth of that laid down in the Budget of 1913.

The number of gendarmes and employees or officials of the local or municipal police may only be increased to an extent corresponding to the increase of population since 1913 in the districts or municipalities in which they are employed.

These employees and officials may not be assembled for military training.

Article 163

The reduction of the strength of the German military forces as provided for in Article 160 may be effected gradually in the following manner:

Within three months from the coming into force of the present Treaty the total number of effectives must be reduced to 200,000 and the number of units must not exceed twice the number of these laid down in Article160.

At the expiration of this period, and at the end of each subsequent period of three months, a Conference of military experts of the Principal Allied and Associated Powers will fix the reductions to be made in the ensuing three months, so that by March 31, 1920, at the latest the total number of German effectives does not exceed the maximum number of 100,000 men laid down in Article 160. In these successive reductions the same ratio between the number of officers and of men, and between the various kinds of units, shall be maintained as is laid down in that Article.

CHAPTER II

ARMAMENT, MUNITIONS AND MATERIAL.

Article 164

Up till the time at which Germany is admitted as a member of the League of Nations the German Army must not possess an armament greater than the amounts fixed in Table No.11 annexed to this Section, with the exception of an optional increase not exceeding one-twentyfifth part for small arms and one-fiftieth part for guns, which shall exclusively be used to provide for such eventual replacements as may be necessary.

Germany agrees that after she has become a member of the League of Nations the armaments fixed in the said Table shall remain in force until they are modified by the Council of the League. Furthermore she hereby agrees strictly to observe the decisions of the Council of the League on this subject.

Article 165

The maximum number of guns, machine guns, trench mortars, rifl and the amount of ammunition and equipment which Germany is allowed to maintain during the period between the coming into force of the present Treaty and the date of March 31, 1920, referred to in Article 160, shall bear the same proportion to the amount authorized in Table No.III annexed to this Section as the strength of the German Army as reduced from time to time in accordance with Article 163 bears to the strength permitted under Article 160.

Article 166

At the date of March 31, 1920, the stock of munitions which the German Army may have at its disposal shall not exceed the amounts fixed in Table No.III annexed to this Section.

Within the same period the German Government will store these stocks at points to be notified by the Governments of the Principal allied and Associated Powers. The German Government is forbidden to establish any other stocks, depots or reserves of munitions.

Article 167

The number and calibre of the guns constituting at the date of the coming into force of the present Treaty the armament of the fortified works, fortresses and any land or coast forts which Germany is allowed to retain must be notified immediately by the German Government to the Governments of the Principal Allied and Associated Powers, and will constitute maximum amounts which may not be exceeded.

Within two months from the coming into force of the present Treaty, the maximum stock of ammunition for these guns will be reduced to, and maintained at, the following uniform rates:- fifteen hundred rounds per piece for those the calibre of which is 10.5 cm. and under; five hundred rounds per piece for those of higher calibre.

Article 168

The manufacture of arms, munitions, or any war material, shall only be carried out in factories or works the location of which shall be communicated to and approved by the Governments of the Principal Allied and Associated Powers, and the number of which they retain the right to restrict.

Within three months from the coming into force of the present Treaty, all other establishments for the manufacture, preparation storage or design of arms, munitions or any war material whatever shall be closed down. The same applies to all arsenals except those used as depots for the authorised stocks of munitions. Within the same period the personnel of these arsenals will be dismissed.

Article 169

Within two months from the coming into force of the present Treaty German arms, munitions and war material, including anti-aircraft material, existing in Germany in excess of the quantities allowed, must be surrendered to the Governments of the Principal Allied and Associated Powers to be destroyed or rendered useless. This will also apply to any special plant intended for the manufacture of military material, except such as may be recognised as necessary for equipping the authorised strength of the German Army.

The surrender in question will be effected at such points in German territory as may be selected by the said Governments.

Within the same period arms, munitions and war material, including anti-aircraft material, of origin other than German in whatever state they may be, will be delivered to the said Governments who will decide as to their disposal.

Arms and munitions which on account of the successive reductions in the strength of the German army become in excess of the amounts authorized by Tables II and III annexed to this Section must be handed over in the manner laid down above within such periods as may be decided by the Conferences referred to in Article 163.

Article 170

Importation into Germany of arms, munitions and war material of every kind shall be strictly prohibited.

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The same applies to the manufacture for, and export to, foreign countries of arms, munitions and war material of every kind.

Article 171

The use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Germany.

The same applies to materials specially intended for the manufacture, storage and use of the said products or devices.

The manufacture and the importation into Germany of armoured cars, tanks and all similar constructions suitable for use in war are also prohibited.

Article 172

Within a period of three months from the coming into force of the present Treaty, the German Government will disclose to the Governments of the Principal Allied and Associated Powers the nature and mode of manufacture of all explosives, toxic substances or other like chemical preparations used by them in the war or prepared by them for the purpose of being so used.

CHAPTER III

RECRUITING AND MILITARY TRAINING

Article 173

Universal compulsory military service shall be abolished in Germany.

The German Army may only be constituted and recruited by means of voluntary enlistment.

Article 174

The period of enlistment for non-commissioned officers and privates must be twelve consecutive years.

The number of men discharged for any reason before expiration of their term of enlistment must not exceed in any year five per cent of the total effectives fixed by the second sub-paragraph of paragraph 1 of Article 160 of the present Treaty.

Article 175.

The officers who are retained in the Army must undertake the obligation to serve in it up to the age of forty-five years at least.

Officers newly appointed must undertake to serve on the active list for twenty-five consecutive years at least.

Officers who have previously belonged to any formations whatever of the Army, and who are not retained in the units allowed to be maintained, must not take part in any military exercise whether theoretical or practical, and will not be under any military obligations whatever.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year five per cent of the total effectives of officers provided for in the third sub-paragraph of paragraph 1 of Article 160 of the present Treaty.

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Article 176

On the expiration of two months from the coming into force of the present Treaty there must only exist in Germany the number of military schools which is absolutely indispensable for the recruitment of the officers of the units allowed. These schools will be exclusively intended for the recuitment of officers of each arm, in theproportion of one school per arm.

The number of students admitted to attend the courses of the said schools will be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres will be reckoned in the effectives fixed by the second and third sub-paragraphs of paragraph 1 of Article 160 of the present Treaty.

Consequently, and during the period fixed above, all military academies or similar institutions in Germany, as well as the different military schools for officers, student officers (Aspiranten), cadets, non-commissioned officers or student non-commissioned officers (Aspiranten), other than the schools above provided for, will be abolished.

Article 177

Educational establishments, the universities, societies of discharged soldiers, shooting or touring clubs and, generally speaking, associations of every description, whatever the age of their members, must not occupy themselves with any military matters.

In particular they will be forbidden to instruct or exercise their members, or to allow them to be instructed or exercised, in the profession or use of arms.

These Societies, associations, educational establishments and universities must have no connection with the Ministries of War or any other military authority.

Article 178

All measures of mobilization or appertaining to mobilization are forbidden.

In no case must formations, administrative services or General Staffs include supplementary cadres.

Article 179

Germany agrees, from the coming into force of the present Treaty, not to accredit nor to send to any foreign country any military, naval or air mission, nor to allow any such mission to leave her territory, and Germany further agrees to take appropriate measure to prevent German nationals from leaving her territory to become enrolled in the Army, Navy or Air service of any foreign Power, or to be attached to such Army, Navy or Air service for the purpose of assisting in the military, naval or air training thereof, or otherwise for the purpose of giving military, naval or air instruction in any foreign country.

The Allied and Associated Powers agree, so far as they are concerned, from the coming into force of the present Treaty, not to enrol in nor to attach to their armies or naval or air forces any German national for the purpose of assisting in the military training of such armies or naval or air forces, or otherwise to employ any such German national as military, naval or aeronautic instructor.

The present provision does not, however, affect the right of France to recruit for the Foreign Legion in accordance with French military laws and regulations.

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CHAPTER IV

FORTIFICATIONS.

Article 180.

All fortified works, fortresses and field works situated in German territory to the west of a line drawn fifty kilometres to the east of the Rhine shall be disarmed and dismantled.

Within a period of two months from the coming into force of the present Treat such of the above fortified works, fortresses and field works as are situated in territory not occupied by Allied and Associated troops shall be disarmed and within a further period of four months they shall be dismantled. Those which are situated in territory occupied by Allied and Associated troops shall be disarmed and dismantled within such periods as may be fixed by the Allied High Command.

The construction of any new fortification, whatever its nature and importance is forbidden inthe zone referred to in the first paragraph above.

The system of fortified works of the southern and eastern frontiers of Germany shall be maintained in its existing state.

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TABLE No.1.

STATE AND ESTABLISHMENT OF ARMY CORPS HEADQUARTERS STAFFS AND OF INFANTRY AND CAVALRY DIVISIONS.

These tabular statements do not form a fixed establishment to be imposed on Germany, but the figures contained in them (number of units and strengths) represent maximum figures, which should not in any case be exceeded.

1. - ARMY CORPS HEADQUARTERS STAFFS.

Unit.	Maximum No. Authorised.	Maximum Strengths of each Unit.	
		Officers.	N.C.O's and Men.
Army Corps Headquarters Staff.....	2	30	150
Total for Headquarters Staffs.....	-	60	300

II - ESTABLISHMENT OF AN INFANTRY DIVISION

Unit.	Maximum No. of such Units in a Single Division.	Maximum Strengths of each Unit.	
		Officers.	N.C.O's and Men.
Headquarters of an infantry division.	1	25	70
Headquarters of divisional infantry..	1	4	30
Headquarters of divisional artillery.	1	4	30
Regiment of infantry..... (Each regiment comprises 3 battalions of infantry. Each batallion comprises 3 companies of infantry and 1 machine gun company)	3	70	2,300
Trench mortar company.....	3	6	150
Divisional squadron	1	6	150
Field artillery regiment..... (Each regiment comprises 3 groups of artillery. Each group comprises 3 batteries.)	1	85	1,300
Pioneer battalion..... (This battalion comprises 2 companies of pioneers, 1 pontoon detachment, 1 search-light section.)	1	12	400
Signal detachment..... (This detachment comprises 1 telephone detachment, 1 listening section, 1 carrier pigeon section.)	1	12	300
Divisional medical service.....	1	20	400
Parks and convoys.....	-	14	800
Total for infantry division	-	410	10,830

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III. - ESTABLISHMENT OF A CAVALRY DIVISION.

Unit.	Maximum No. of such Units in a Single Division.	Maximum Strengths of each unit.	
		Officers	N.C.O's and Men
Headquarters of a cavalry division	1	15	50
Cavalry regiment..... (Each regiment comprises 4 squadrons.)	6	40	800
Horse artillery group (3 batteries)	1	20	400
Total for cavalry division.....	.....	275	5,250

TABLE No.II

TABULAR STATEMENT OF ARMAMENT ESTABLISHMENT FOR A MAXIMUM OF 7 INFANTRY DIVISIONS, 3 CAVALRY DIVISIONS, AND 2 ARMY CORPS HEADQUARTERS STAFFS.

Material.	Infantry division. (1)	For 7 Infantry divisions (2)	Cavalry division. (3)	For 3 cavalry divisions. (4)	2 Army corps headquarters staffs. (5)	Total of Columns 2, 4 and 5. (6)
Rifles.....	12,000	84,000	-	-	This establishment must be drawn from the increased arraments of the divisional infantry	84,000
Carbines	-	-	6,000	18,000		18,000
Heavy machine guns..	108	756	12	36		792
Light machine guns..	162	1,134	-	-		1,134
Medium trench mortars.....	9	63	-	-		63
Light trench mortars.....	27	189	-	-		189
7.7 cm. guns.....	24	168	12	36		204
10.5 cm. howitzers..	12	84	-	-		84

TABLE No. III

MAXIMUM STOCKS AUTHORISED.

Material.	Maximum number of arms authorised	Establishment per unit.	Maximum totals.
		Rounds.	Rounds
Rifles.....	84,000	400	40,800,000
Carbines.....	18,000		
Heavy machine guns....	792	8,000	15,408,000
Light machine guns....	1,134		
Medium trench mortars.	63	400	25,200
Light trench mortars..	189	800	151,200
Field artillery:			
7.7 cm. guns.....	204	1,000	204,000
10.5 cm. howitzers..	84	800	67,200

The German Government shall place at the disposal of the Governments of the Principal Allied and Associated Powers all hydrographical information now in its possession concerning the channels and adjoining waters between the Baltic and the North Sea.

Article 196.

All fortified works and fortifications, other than those mentioned in Section XIII (Heligoland) of Part III (Political Clauses for Europe) and in Article 195, now established within fifty kilometers of the German coast or on German islands off that coast shall be considered as of a defensive nature and may remain in their existing condition.

No new fortifications shall be contructed within these limits. The armament of these defences shall not exceed, as regards the number and calibre of guns, those in position at the date of the coming into force of the present Treaty. The German Government shall communicate forthwith particulars thereof to all the European Governments.

On the expiration of a period of two months from the coming into force of the present Treaty the stocks of ammunition for these guns shall be reduced to and maintained at a maximum figure of fifteen hundred rounds per piece for calibres of 4.1 inch and under, and five hundred rounds per piece for higher calibres.

Article 197.

During the three months following the coming into force of the present Treaty the German high-power wirless telegraphy stations at Nauon, Hanover and Berlin shall not be used for the transmission of messages concerning naval, military or political questions of interest to Germany or any State which has been allied to Germany in the war, without the assent of the Governments of the Principal Allied and Associated Powers. These stations may be used for commercial purposes, but only under the supervision of the said Governments, who will decide the wavelength to be used.

During the same period Germany shall not build any more high-power wireless telegraphy stations in her own territory or that of Austria, Hungary, Bulgaria or Turkey.

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Within a month from the fixing of the quantities as above, arms, munitions and war material of all kinds, including mines and torpedoes, now in the hands of the German Government and in excess of the said quantities, shall be surrendered to the Governments of the said Powers at places to be indicated by them. Such arms, munitions and war material will be destroyed or rendered useless.

All other stocks, depots or reserves of arms, munitions or naval war material of all kinds are forbidden.

The manufacture of these articles in German territory for, and their export to, foreign countries shall be forbidden.

Article 193.

On the coming into force of the present Treaty Germany will forthwith sweep up the mines in the following areas in the North Sea to the eastward of longitude 4° 00' E. of Greenwich:

(1) Between parallels of latitude 53° 00' N. and 59° 30' N.

Germany must keep these areas free from mines.

Germany must also sweep and keep free from mines such areas in the Baltic as may ultimately be notified by the Governments of the Principal Allied and Associated Powers.

Article 194.

The personnel of the German Navy shall be recruited entirely by voluntary engagements entered into for a minimum period of twenty-five consecutive years for officers and warrant officers; twelve consecutive years for petty officers and men.

The number engaged to replace those discharged for any reason before the expiration of their term of service must not exceed five per cent. per annum of the totals laid down in this Section (Article 183).

The personnel discharged from the Navy must not receive any kind of naval or military training or undertake any further service in the Navy or Army.

Officers belonging to the German Navy and not demobilised must engage to serve till the age of forty-five, unless discharged for sufficient reasons.

No officer or man of the German mercantile marine shall receive any training in the Navy.

Article 195.

In order to ensure free passage into the Baltic to all nations, Germany shall not erect any fortifications in the area comprised between latitudes 55° 27' N. and 54° 00' N. and longitudes 9° 00' E. and 16° 00' E. of the meridian of Greenwich, nor instal any guns commanding the maritime routes between the North Sea and the Baltic. The fortifications now existing in this area shall be demolished and the guns removed under the supervision of the Allied Governments and in periods to be fixed by them.

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Article 188.

On the expiration of one month from the coming into force of the present Treaty all German submarines, submarines salvage vessels and docks for submarines, including the tubular dock, must have been handed over to the Governments of the Principal Allied and Associated Powers.

Such of these submarines, vessels and docks as are considered by the said Governments to be fit to proceed under their own power or to be towed shall be taken by the German Government into such Allied ports as have been indicated.

The remainder, and also those in course of construction, shall be broken up entirely by the German Government under the supervision of the said Governments. The breaking-up must be completed within three months at the most after the coming into force of the present Treaty.

Article 189.

Articles, machinery and material arising from the breaking-up of German warships of all kinds, whether surface vessels or submarines, may not be used except for purely industrial or commercial purposes.

They may not be sold or disposed of to foreign countries.

Article 190.

Germany is forbidden to construct or acquire any warships other than those intended to replace the units in commission provided for in Article 181 of the present Treaty.

The warships intended for replacement purposes as above shall not exceed the following displacement:

Armoured ships.....	10,000 tons,
Light cruisers.....	6,000 tons,
Destroyers.....	800 tons,
Torpedo boats.....	200 tons.

Except where a ship has been lost, units of the different classes shall only be replaced at the end of a period of twenty years in the case of battleships and cruisers, and fifteen years in the case of destroyers and torpedo boats, counting from the launching of the ship.

Article 191.

The construction of acquisition of any submarines, even for commercial purposes, shall be forbidden in Germany.

Article 192.

The warships in commision of the German fleet must have on board or in reserve only the allowance of arms, munitions and war material fixed by the Principal Allied and Associated Powers.

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Article 185.

Within a period of two months from the coming into force of the present Treaty the German surface warships enumerated below will be surrendered to the Governments of the Principal Allied and Associated Powers in such Allied ports as the said Powers may direct.

These warships will have been disarmed as provided in Article XXIII of the Armistice of November 11, 1918. Nevertheless they must have all their guns on board.

Battleships.

Oldenburg.	Posen.
Thuringen.	Westfalen.
Ostfriesland.	Rheinland.
Helgoland.	Nassau.

Light Cruisers.

Stettin.	Stralsund.
Danzig.	Augsburg.
München.	Kolberg.
Lübeck.	Stuttgart.

and, in addition, forty-two modern destroyers and fifty modern torpedo boats, as chosen by the Governments of the Principal Allied and Associated Powers.

Article 186.

On the coming into force of the present Treaty the German Government must undertake, under the supervision of the Governments of the Principal Allied and Associated Powers, the breaking-up of all the German surface warships now under construction.

Article 187.

The German auxiliary cruisers and fleet auxiliaries below will be disarmed and treated as merchant ships.

Interned in neutral countries:

Berlin.	Seydlitz.
Santa Fé.	Yorck.

In Germany:

Ammon.	Fürst Bülow.
Answald.	Gertrud.
Bosnia.	Kigoma.
Cordoba.	Rugia.
Cassel.	Santa Elena.
Dania.	Schleswig.
Rio Negro.	Möwe.
Rio Pardo.	Sierra Ventana.
Santa Cruz.	Chemnitz.
Schwaben.	Emil Georg von Strauss.
Solingen.	Habsburg.
Steigerwald.	Meteor.
Franken.	Waltraute.
Gundomar.	Scharnhorst.

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SECTION II

NAVAL CLAUSES.

Article 181.

After the expiration of a period of two months from the coming into force of the present Treaty the German naval forces in commission must not exceed:

6 battleships of the Deutschland or Lothringen type.
6 light cruisers.
12 destroyers.
12 torpedo boats.

or an equal number of ships constructed to replace them as provided in Article 190.

No submarines are to be included.

All other warships, except where there is provision to the contrary in the present Treaty, must be placed in reserve or devoted to commercial purposes.

Article 182.

Until the completion of the minesweeping prescribed by Article 193 Germany will keep in commission such number of minesweeping vessels as may be fixed by the Governments of the principal Allied and Associated Powers.

Article 183.

After the expiration of a period of two months from the coming into force of the present Treaty the total personnel of the German Navy, including the manning of the fleet, coast defences, signal stations, administration and other land services, must not exceed fifteen thousand, including officers and men of all grades and corps.

The total strength of officers and warrant officers must not exceed fifteen hundred.

Within two months from the coming into force of the present Treaty the personnel in excess of the above strength shall be demobilized.

No naval or military corps or reserve force in connection with the Navy may be organised in Germany without being included in the above strength.

Article 184.

From the date of the coming into force of the present Treaty all the German surface warships which are not in German ports cease to belong to Germany, who renounces all rights over them.

Vessels which, in compliance with the Armistice of November 11, 1918, are now interned in the ports of the Allied and Associated Powers are declared to be finally surrendered.

Vessels which are now interned in neutral ports will be there surrendered to the Governments of the Principal Allied and Associated Powers. The German Government must address a notification to that effect to the neutral Powers on the coming into force of the present Treaty.

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SECTION III

Air Clauses.

Article 198.

The armed forces of Germany must not include any military or naval air forces.

Germany may, during a period not extending beyond October 1, 1919, maintain maximum number of one hundred seaplanes or flying boats, which shall be exclusively employed in searching for submarine mines, shall be furnished with the necessary equipment for this purpose, and shall in no case carry arms, munitions or bombs of any nature whatever.

In addition to the engines installed in the seaplanes or flying boats above mentioned, one spare engine may be provided for each engine of each of these craft.

No dirigible shall be kept.

Article 199.

Within two months from the coming into force of the present Treaty the personnel of air forces on the rolls of the German land and sea forces shall be demobilised. Up to October 1, 1919, however, Germany may keep and maintain a total number of one thousand men, including officers, for the whole of the cadres and personnel, flying and non-flying, of all formations and establishments.

Article 200.

Until the complete evacuation of German territory by the Allied and Associated troops, the aircraft of the Allied and Associated Powers shall enjoy in Germany freedom of passage through the air, freedom of transit and of landing.

Article 201.

During the six months following the coming into force of the present Treaty, the manufacture and importation of aircraft, parts of aircraft, engines for aircraft, and parts of engines for aircraft, shall be forbidden in all German territory.

Article 202.

On the coming into force of the present Treaty, all mititary and naval aeronautical material, except the machines mentioned in the second and third paragraphs of Article 198, must be delivered to the Governments of the Principal Allied and Associated Powers.

Delivery must be effected at such places as the said Governments may select, and must be completed within three months.

In particular, this material will include all items under the following heads which are or have been in use or were designed for warlike purposes: Complete aeroplanes and seaplanes, as well as those being manufactured, repaired or assembled.

Dirigibles able to take the air, being manufactured, repaired or assembled.

Plant for the manufacture of hydrogen.

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Dirigble sheds and shelters of every kind for aircraft.

Pending their delivery, dirigibles will, at the expense of Germany, be maintained inflated with hydrogen; the plant for the manufacture of hydrogen; as well as the sheds for dirigibles, may, at the discretion of the said Powers be left to Germany until the time when the dirigibles are handed over.

Engines for aircraft.

Nacelles and fuselages.

Armament (guns, machine guns, light machine guns, bomb-dropping apparatus, torpedo-dropping apparatus, synchronization apparatus, aiming apparatus)

Munitions (cartridges, shells, bombs loaded or unloaded, stocks of explosives or of material for their manufacture)

Instruments for use on aircraft.

Wireless apparatus and photographic or cinematograph apparatus for use on aircraft.

Component parts of any of the items under the preceding heads.

The material referred to above shall not be removed without special permission from the said Governments.

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H1150-0063

Exhibit GB 11
Filed Dec. 5, 1945

TC.44.

NOTE ON THE EXISTENCE OF A GERMAN AIR FORCE, MARCH 9th, 1935.

Enclosure in No. 107.

Group-Captain Don to Sir E. Phipps.

The Ambassador,

I WAS asked to go to the Reichsluftfahrtministerium this morning to speak to Flieger-Kommodore Wenninger. He had mentioned last Monday at the reception at the Japanese Embassy that he had something to tell me, and would telephone to make an appointment on Wednesday or Thursday; so it is quite evident that what he has this morning communicated to me was the result of a decision made before the cancellation of Sir John Simon's visit, and that it had been intended to speak to me before the latter's arrival.

He told me that there are certain developments which he wished to communicate to the British air attaché, and subsequently this morning and on Monday to the other service air attachés, so that they should not hear of them for the first time when they became generally known. He used the word "Soldaten" air attachés, from which it occurred to me that possibly he is not going to include M. Poincaré, the French air attaché, who is a civilian. In this I may be mistaken, but more than once he laid stress on the fact that he was anxious that I should understand that he was talking as one officer to another. He informed me that he had received the approval of the Reichswehrministerium and of the Ministry of Foreign Affairs for what he was about to say.

He then told me that the Chancellor has given the order that, as from the 1st March, those who are destined to belong to the future German air force shall change their rank titles, and shall assume the shoulder-straps which indicate their status as regular Reichswehr personnel. A new design of wing (an eagle), incorporating the "Haken-Kreuz," has also been adopted. Flieger-Kommodore Wenninger, for instance, now becomes Oberst Wenninger, with aluminium braid shoulder-straps and two stars; the recently-coined title Flieger Vice-Chef now becomes General-Leutnant. I gathered that the prefix "Flieger" may be used in correspondence, but that, in conversation, the army rank titles will be used.

Oberst Wenninger, as he now is, showed me the changes on his own uniform, and explained that the new order applies to members of the Deutsche Verkehrsfliegerschule (D.V.S.). As you will remember, this formation, with its blue uniform and yellow badges, has for long been looked upon by us as the foundation of Germany's air force.

I was further informed that the Deutsche Luftsportverband (D.L.V.) would retain its civilian status as the "sports flying" body, and I gathered that its members would retain their present non-regular titles, with Flieger-Kommander as the highest title attainable, except that Herr Loerzer, their present leader, will be permitted to retain the higher title of "Flieger-Kommodore". As you probably know, we have long been of the opinion that the D.L.V., with its large membership (blue uniform with blue badges), will be the non-regular formation which will train reserve pilots and keep the nation "air minded", and be in position to supply auxiliary squadrons on mobilisation.

The information, therefore, which I have received substantially confirms what we have already had good reason to believe regarding the D.V.S. and D.L.V.

Oberst Wenninger impressed upon me that he had not sent for me to inform me that a German air force actually exists; formally speaking, it does not, and such an announcement must await political developments. On the other hand, preparations are in progress, including certain training schools. Of these he gave me the names of six, which he invites me to visit. I did not commit myself as to whether or not I shall take advantage of his offer. He added that he and his brother officers were only too anxious that the political situation should be cleared up so as to enable the veil of secrecy to be lifted. Meanwhile, he regretted that full details regarding future establishments and organisation are not yet available.

March 9, 1935.

F. P. DON, Air Attaché

H1150 – 0064

TC 45

(C 2202/55/18 No. 128

Sir E. Phipps to Sir John Simon - (Received March 19)

(No. 269)

HIS Majesty's Ambassador at Berlin presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and has the honour to transmit to him the text and translation of the proclamation to the German people of the 16th. March, 1935.

Berlin, March 18, 1935

Enclosure in No. 128.

Proclamation to the German People of March 16, 1935.

(Translation)

To the German People,

WHEN in November 1918 the German people - trusting in the assurances given in Wilson's Fourteen Points - after four and a half years' glorious resistance in a war the outbreak of which they had never willed, laid down their arms, they believed that they had rendered a service not only to tortured humanity, but also to an intrinsically great idea. Themselves the worst sufferers from the consequences of this insensate struggle, the millions of our people trustfully clutched at the conception of a recasting of the relations between the nations, which were to be enobled by the abolition of secret diplomacy as conducted by small cliques on the one hand, and the terrible instruments of war on the other. The consequences of a defeat, hardest from a historical aspect, thus appeared to many Germans to be an absolutely necessary sacrifice in order to save the world for all time from similar horrors.

The idea of the League of Nations evoked, perhaps, in no nation a warmer response than in the Germans, abandoned as they were by all earthly fortune. Only so was it comprehensible that the conditions, in many respects nothing less than senseless, providing for the destruction of every requisite and every possibility of defence, were not only accepted by the German people, but were also carried out by them. The German people, and in particular their Governments of the time, were convinced that, through the fulfilment of thedisarmament provisions prescribed in the Treaty of Versailles, the general International disarmament would be initiated and guaranteed as promised in that treaty. For only such bilateral fulfilment of the task set by the treaty could afford moral and rational justification for a demand which, if unilaterally imposed and executed, must lead to a perpetual discrimination and thereby to a declaration of the inferiority of a great nation. By such means, however, a peace treaty of this character could never constitute a basis for a true inner reconciliation of the nations and a consequent pacification of the world, but could for the creation of a hatred which would perpetually increase in intensity.

H1150 - 0065

According to the findings of the Inter-Allied Control Commission, Germany has fulfilled the disarmament obligations imposed upon her.

The following was the work of destruction of the German means of defence, as confirmed by this commission:-

(A) - Army

59,897	guns and gun-barrels	59	tanks
130,558	machine guns	1,762	observation cars
31,470	trench mortars and barrels.	8,982	wireless stations
		1,240	field bakeries
6,007,000	rifles and carbines	2,199	pontoons
243,937	machine-gun barrels	981·7	tons equipment for soldiers; and
28,001	gun carriages		
4,390	trench mortar gun carriages.	8,230,350	sets of equipment for soldiers.
38,750,000	shells	7,300	pistols and revolvers
16,550,000	hand and rifle grenades	180	machine-gun carriages
		21	travelling workshops
60,400,000	fuses	12	anti-aircraft gun carriages
491,000,000	small arms ammunition	11	limbers
335,000	tons shell-cases	64,000	steel helmets
23,515	tons cartridge cases	174,000	gas masks
37,600	tons powder	2,500	machines formerly used for war manufacturing purposes
79,500	caissons		
212,000	telephones		
1,072	flame - throwers	8,000	rifle-barrels.
31	armoured cars		

(B) - Air.

15,714	pursuit and bombing planes	27,757	aeroplane engines

(C) - Navy

Destroyed, broken up, sunk or surrendered warship material belonging to the Navy:-

26	battleships	21	training and special ships
4	monitors		
4	armoured cruisers	83	torpedo boats
19	small cruisers	315	submarines

Observations on (A) and (B).

Moreover, the following were liable to destruction:-

Vehicles of every sort, gas warfare equipment, and, to a certain extent, gas protection equipment, propulsive and explosive material, searchlights, aiming apparatus, range-finders and sound-detecting apparatus of every kind, horse harness, narrow guage material, field printing-presses, fieldkitchens, workshops, cut and thrust weapons, steel helmets, material for the transport of munitions, normal and special machines used in the manufacture of war material and transport appliances, drawings for them, aeroplane and airship hangars, &c.

H1150-0066

After this historically unprecedented fulfilment of a treaty, the German people had the right to expect the redemption of the pledges given by the other side.

For-

(1) Germany had disarmed.

(2) In the Peace Treaty it was explicitly demanded that Germany must be disarmed in order to create the pre-requisite for general disarmament, that is to say, it was thereby claimed that Germany's armament alone furnished justification for the armaments of the other countries.

(3) The German people were at that time, both as regards their Governments and their parties, animated by sentiments in complete accord with the pacifist and democratic ideals of the League of Nations and its founders.

But while Germany as one of the contracting parties had carried out her obligations, the fulfilment of the obligations of the second contracting party never took place. In other words, the high contracting parties of the former victor States have unilaterally freed themselves from the obligations of the Treaty of Versailles!

But it was not enough that no disarmament in any way comparable in extent with the destruction of Germany's armaments took place, no, there was not even a pause in armaments, and, indeed, on the contrary, it became finally obvious that a large number of States were rearming. New engines of destruction invented during the war now, in time of peace, received the last touches of perfection by methodical and scientific labour. In the creation of powerful tanks and also of new fighting and bombing machines continual and appaling improvements took place. Gigantic new guns were constructed and new explosive, incendiary and gas bombs developed.

Since then the world has once again been resounding with war cries, as if there had never been a world war and as if no Treaty of Versailles had ever been concluded.

In the midst of these warrior States, highly armed and ever making more use of the most modern mechanised forces, Germany was, in respect of power, an empty space delivered over defenceless to every threat and menace from any quarter. The German people are mindful of the misfortune and suffering of fifteen years of economic misery and of political and moral humiliation.

It was, therefore, comprehensible when Germany began loudly to press for the redemption of the disarmament promises of the other States.

For this is clear:

A hundred years of peace would be not only tolerated by the world, but it must be an immeasurable blessing to it. A century of forcible division into victors and vanquished it cannot, however, endure.

Feeling as regards the moral justification and necessity of international disarmament was, however, alive, not only in Germany but also within many other nations. From the pressure of these forces arose the attempts to bring about, by means of conferences, a reduction of armaments and thereby an international general approximation on a low level.

In this way there came about the first proposals for an international armaments convention, of which we remember the MacDonald plan as important.

Germany was ready to accept this plan and to make it a basis of agreements to be concluded.

It collapsed on the refusal of other States and was finally abandoned. As in such circumstances the equality of rights solemnly promised to the German people and Reich in the declaration of December 1932 was not realised, the new German Government, as protector of the honour and the vital rights of the German people, found themselves unable to participate further in such conferences or to continue to belong to the League of Nations.

But even after their departure from Geneva the German Government were still prepared not only to examine proposals of other States but also to make practical proposals on their own account.

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In so doing they accepted the view, actually laid down by the other States, that the creation of short-service armies was unsuitable for aggressive purposes and was, therefore, to be recommended for peaceful defence.

It was therefore ready, in accordance with the wish of the other States, to transform the long-service Reichswehr into a short-service army. Its proposals, made in the winter of 1933-34, were practical and capable of realisation. The rejection of these proposals as well as the final rejection of the similarly conceived Italian and British drafts led, however, to the conclusion that there was no longer any inclination in the case of the other parties to the treaty to fulfil subsequently the Versailles disarmament provisions in the sense intended.

In these circumstances the German Government felt obliged to take of their own initiative those measures which were necessary to ensure the termination of a condition of impotent defencelessness of a great people and country which was as undignified as it was in the last resort menacing.

In so doing they were actuated by the same considerations as those which were so truthfully expressed by Mr. Baldwin in his last speech: "A country which shows itself unwilling to make what necessary preparations are requisite for its own defence will never have force, moral or material, in this world."

The Government of present-day Germany, however, only desire one single moral and material power; that is, the power to be able to safeguard the peace for the Reich and thereby also for the whole of Europe.

They have therefore continued to do what lay within their power and was calculated to further the interests of peace:-

(1) They proposed to all their neighboursStates, some considerable time ago, the conclusion of non-aggression pacts.

(2) They ahve sought and reached with their eastern neighbour a treaty settlement which will, they hope, thanks to the large spirit of mutual comprehension shown, purify for ever the threatening atmosphere which they found on assuming power and lead to a lasting understanding and friendship between the two nations.

(3) They have, finally, given France the solemn assurance that, the Saar question having been settled, Germany will now present or raise no further territorial claims against France. They believe they have thus, by a heavy political and material sacrifice, created in a form rare in history the basis for the termination of a century-long conflict between the two great nations.

The German Government must, however, to their regret note that for months past a steadily rising rearmament of the rest of the world has been taking place. They perceive in the creation of a Soviet Russian army of 101 divisions, that is to say, an admitted peace strength of 960,000 men, an element which could not have been forseen at the drafting of the Treaty of Versailles.

They perceive in the acceleration of similar measures in other States further evidence of the rejection of this disarmament idea once proclaimed. It is far from the German Government to wish to bring forward a reproach against any State. They must, however, place on record today the fact that through the introduction of the two-year service period in France now decided on, the underlying conception of the creation of short-term defence armies has been abandoned in favour of a long-service organisation.

That was, however, one of the arguments used at the time to justify the demand that Germany should give up the Reichswehr!

The German Government consider it in these circumstances an impossibility to defer any longer the measures necessary for the security of the Reich, or, indeed, to conceal them from the knowledge of the rest of the world.

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In now complying therefore with the wish expressed in the speech of the British Minister Mr. Baldwin on the 28th. November, 1934, for a clarification of the German intentions, they do so in order -

(1) To convince the German people and to inform the other States that the protection of the honour and security of the German Reich will henceforth once more be entrusted to the German nation's own strength;
(2) But, by defining the scope of the German measures, to refute those assertions which attempt to attribute to the German people the attempt to attain a position of military hegemony in Europe.

What the German Government, as protector of the honour and the interests of the German nation, desire is to ensure that degree of armed force which is necessary not only for the maintenance of the integrity of the German Reich, but also for the international respect and esteem of Germany as a co-guarantor of the general peace.

For in this hour the German Government renew before the German people and before the whole world the assurance of their determination never to go beyond the protection of German honour and the freedom of the Reich, and in particular of their desire not to create in the German national armaments an instrument of warlike aggression, but rather one exclusively of defence and thereby of the maintenance of peace.

The German Government express the confident hope that it may be granted to the German people, now recovering their honour in independent equality of rights, to make their contribution to the pacification of the world in free and open co-operation with the other nations and their Governments.

In this sense the German Governemt have today adopted the following law:-

Law for the Building Up of the Defence Force, dated March 16, 1935

The Government of the Reich have adopted the following law, which is herewith promulgated:-

Article 1. Service in the Defence Force shall be on the basis of general compulsory service.

Art. 2. The German peace army, including the police troops transferred to it, is divided into twelve corps commands and thirty-six divisions.

Art. 3. The supplementary laws governing general compulsory service shall be presented to the Cabinet forthwith by the Minister of Defence.

ADOLF HITLER
Leader and Chancellor of the Reich

Berlin, March 16, 1935

(Other signatures)

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Exhibit GB 13
Filed Dec. 5, 1945

TC 12.

[1]Translation.

No. 1291 - TREATY OF MUTUAL GUARANTEE[2] BETWEEN GERMANY, BELGIUM, FRANCE, GREAT BRITAIN AND ITALY, DONE AT LOCARNO, OCTOBER 16, 1925.

Official text in French. This Treaty was registered with the Secretariat, in accordance with its Article 10, on September 14, 1926, the date of its entry into force.

The President of the German Reich, His Majesty the King of the Belgians, the President of the French Republic, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy;

Anxious to satisfy the desire for security and protection which animates the peoples upon whom fell the scourge of the war of 1914-18;

Taking note of the abrogation of the treaties for the neutralisation of Belgium, and conscious of the necessity of ensuring peace in the area which has so frequently been the scene of European conflicts;

Animated also with the sincere desire of giving to all the signatory Powers concerned supplementary guarantees within the framework of the Covenant of the League of Nations and the treaties in force between them;

Have determined to conclude a treaty with these objects, and have appointed as their Plenipotentiaries:

The President of the German Empire:

Dr. Hans Luther, Chancellor of the Empire;
Dr. Gustav Stresemann, Minister for Foreign Affairs;

His Majesty the King of the Belgians:

M. Emile Vandervelde, Minister for Foreign Affairs;

The President of the French Republic:

M. Aristide Briand, Prime Minister and Minister for Foreign Affairs;

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[1]Communicated by His Britannic Majesty's Foreign Office.

[2]The ratifications were deposited at Geneva, September 14, 1926.

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His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Stanley Baldwin, M.P., First Lord of the Treasury and Prime Minister;

The Right Honourable Joseph Austen Chamberlain, M.P., Principal Secretary of State for Foreign Affairs;

His Majesty the King of Italy:

The Honourable Vittorio Scialoja, Senator of the Kingdom;

Who, having communicated their full powers, found in good and due form have agreed as follows:

Article 1.

The High Contracting Parties collectively and severally guarantee, in the manner provided in the following Articles, the maintenance of the territorial status quo resulting from the frontiers between Germany and Belgium and between Germany and France, and the inviolability of the said frontiers as fixed by or in pursuance of the Treaty of Peace signed at Versailles on June 28, 1919, and also the observance of the stipulations of Article 42 and 43 of the said Treaty concerning the demilitarised zone.

Article 2.

Germany and Belgium, and also Germany and France, mutually undertake that they will in no case attack or invade each other or resort to war against each other.

The stipulation shall not, however, apply in the case of:

(1) The exercise of the right of legitimate defence, that is to say, resistance to a violation of the undertaking contained in the previous paragraph or to a flagrant breach of Articles 42 or 43 of the said Treaty of Versailles, if such breach constitutes an unprovoked act of aggression and by reason of the assembly of armed forces in the demilitarised zone, immediate action is necessary;

(2) Action in pursuance of Article 16 of the Covenant of the League of Nations;

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was first to attack.

Article 3.

In view of the undertakings entered into in Article 2 of the present Treaty, Germany and Belgium, and Germany and France, undertake to settle by

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peaceful means and in the manner laid down herein all questions of every kind which may arise between them and which it may not be possible to settle by the normal methods of diplomacy:

Any question with regard to which the Parties are in conflict as to their respective rights shall be submitted to judicial decision, and the Parties undertake to comply with such decision.

All other questions shall be submitted to a conciliation commission. If the proposals of this commission are not accepted by the two Parties, the question shall be brought before the Council of the League of Nations, which will deal with it in accordance with Article 15 of the Covenant of the League.

The detailed arrangements for effecting such peaceful settlement are the subject of special Agreements signed this day.

Article 4.

(1) If one of the High Contracting Parties alleges that a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles has been or is being committed, it shall bring the question at once before the Council of the League of Nations.

(2) As soon as the Council of the League of Nations is satisfied that such violation or breach has been committed, it will notify its finding without delay to the Powers signatory of the present Treaty, who severally agree that in such case they will each of them come immediately to the assistance of the Power against whom the act complained of is directed.

(3) In case of a flagrant violation of Article 2 of the present Treaty or of a flagrant breach of Articles 42 or 43 of the Treaty of Versailles by one of the High Contracting Parties, each of the other Contracting Parties hereby undertakes immediately to come to the help of the Party against whom such a violation or breach has been directed as soon as the said Power has been able to satisfy itself that this violation constitutes an unprovoked act of aggression and that by reason either of crossing of the frontier or of the outbreak of hostilities or of the assembly of armed forces in the demilitarised zone immediately action is necessary. Nevertheless, the Council of the League of Nations, which will be seized of the question in accordance with the first paragraph of this Article, will issue its findings, and the High Contracting Parties undertake to act in accordance with the recommendations of the Council, provided that they are concurred in by all the Members other than the representatives of the Parties which have engaged in hostilities.

Article 5.

The provisions of Article 3 of the present Treaty are placed under the guarantee of the High Contracting Parties as provided by the following stipulations:

If one of the Powers referred to in Article 3 refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision and commits a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, the provisions of Article 4 of the present Treaty shall apply.

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Where one of the Powers referred to in Article 3, without committing a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision, the other Party shall bring the matter before the Council of the League of Nations, and the Council shall propose what steps shall be taken; the High Contracting Parties shall comply with these proposals.

Article 6.

The provisions of the present Treaty do not affect the rights and obligations of the High Contracting Parties under the Treaty of Versailles or under arrangements supplementary thereto, including the Agreements signed in London on August 30, 1924.[1]

Article 7.

The present Treaty, which is designed to ensure the maintenance of peace, and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 8.

The present Treaty shall be registered at the League of Nations in accordance with the Covenant of the League. It shall remain in force until the Council, acting on a request of one or other of the High Contracting Parties notified to the other signatory Powers three months in advance, and voting at least by a two-thirds' majority, decides that the League of Nations ensures sufficient protection to the High Contracting Parties; the Treaty shall cease to have effect on the expiration of a period of one year from such decision.

Article 9.

The present Treaty shall impose no obligation upon any of the British dominions, or upon India, unless the Government of such dominion, or of India, signifies its acceptance thereof.

Article 10.

The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.

It shall enter into force as soon as all the ratifications have been deposited and Germany has become a Member of the League of Nations.

The present Treaty, done in a single copy, will be deposited in the archives of the League of Nations, and the Secretary-General will be requested to transmit certified copies to each of the High Contracting Parties.

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[1] Vol. XXX, pages 63, 75, 89 and 97, of this Series.

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In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno, October 16, 1925.

(L.S.) (Signed) Hans Luther.
(L.S.) (Signed) Gustav Stresemann.
(L.S.) (Signed) Emile Vandervelde.
(L.S.) (Signed) Aristide Briand.
(L.S.) (Signed) Stanley Baldwin.
(L.S.) (Signed) Austen Chamberlain.
(L.S.) (Signed) Vittorio Scialoja.

FINAL PROTOCOL OF THE LOCARNO CONFERENCE.

The representatives of the German, Belgian, British, French, Italian, Polish and Czechoslovak Governments, who have met at Locarno from October 5 to 16, 1925, in order to seek by common agreement means for preserving their respective nations from the scourge of war and for providing for the peaceful settlement of disputes of every nature which might eventually arise between them,

Have given their approval to the draft Treaties and Conventions which respectively affect them and which, framed in the course of the present Conference, are mutually interdependent:

Treaty[1] between Germany, Belgium, France, Great Britain and Italy (Annex A).

Arbitration[1] Convention between Germany and Belgium (Annex B).
Arbitration[1] Convention between Germany and France (Annex C).
Arbitration[1] Treaty between Germany and Poland (Annex D).
Arbitration[1] Treaty between Germany and Czechoslovakia (Annex E).

These instruments, hereby initialled ne varietur, will bear to-day's date, the representatives of the interested Parties agreeing to meet in London on December 1 next, to proceed during the course of a single meeting to the formality of the signature of the instruments which affect them.

The Minister for Foreign Affairs of France states that as a result of the draft arbitration treaties mentioned above, France, Poland and Czechoslovakia have also concluded at Locarno draft agreements in order reciprocally to assure to themselves the benefit of the said treaties. These agreements will be duly deposited at the League of Nations, but M. Briand holds copies forthwith at the disposal of the Powers represented here.

The Secretary of State for Foreign Affairs of Great Britain proposes that, in reply to certain requests for explanations concerning Article 16 of the Covenant of the League of Nations presented by the Chancellor and the Minister for Foreign Affairs of Germany, a letter, of which the draft

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[1]See International Engagements Nos. 1291 to 1298, of this Volume.

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is similarly attached (Annex F) should be addressed to them at the same time as the formality of signature of the above-mentioned instruments takes place. This proposal is agreed to.

The representatives of the Governments represented here declare their firm conviction that the entry into force of these treaties and conventions will contribute greatly in bringing about a moral relaxation of the tension between nations, that it will help powerfully towards the solution of many political or economic problems in accordance with the interests and sentiments of peoples, and that, in strengthening peace and security in Europe, it will hasten on effectively the disarmament provided for in Article 8 of the Covenant of the League of Nations.

They undertake to give their sincere co-operation to the work relating to disarmament already undertaken by the League of Nations and to seek the realisation thereof in a general agreement.

Done at Locarno, October 16, 1925.

Dr. Luther.
Stresemann,
Emile Vandervelde.
Aristide Briand.
Austen Chamberlain.
Benito Mussolini.
Al. Skrzynski.
Eduard Benes.

[1]TRANSLATION.

COLLECTIVE NOTE TO GERMANY REGARDING ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS.

Your Excellencies,

London, December 1, 1926.

The German Delegation has requested certain explanations in regard to Article 16 of the Covenant of the League of Nations.

We are not in a position to speak in the name of the League, but in view of the discussions which have already taken place in the Assembly and in the Commissions of the League of Nations, and after the explanations which have been exchanged between ourselves, we do not hesitate to inform you of the interpretation which, in so far as we are concerned, we place upon Article 16.

In accordance with that interpretation, the obligations resulting from the said Article on the Members of the League must be understood to mean that each State Member of the League is bound to co-operate loyally and effectively in support of the Covenant and in resistance to any act of aggression to an extent which is compatible with its military situation

[1]Communicated by His Brittanic Majesty's Foreign Office.

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and which takes its geographical position into account.

We have the honour, etc.

Emile Vandervelde.
Aristide Briand.
Stanley Baldwin.
Austen Chamberlain.
Vittorio Scialoja.
Alexandre Skrzynski.
Dr. Eduard Benes.

Exhibit GB 18
Filed Dec. 5, 1945

TC 19.

REICHSGESETZBLATT 1929, Part II.

No. 9 (pp 97-101).

The Kellog-Briand Pact

The President of the German Reich, the President of the United States of America, His Majesty the King of the Belgians, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Poland, and President of the Czechoslovak Republic,

Deeply sensible of their solemn duty to promote the welfare of manking;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this Treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavour and by adhering to the present Treaty as soon as it comes into force bring their peoples within the scope of its beneficient provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a Treaty and for that purpose have appointed as their respective Plenipotentiaries:

The President of the German Reich:

Dr. Gustav Stresemann, Minister for Foreign Affairs;

The President of the United States of America:

The Honorable Frank B Kellogg, Secretary of State;

His Majesty the King of the Belgians:

Mr. Paul Hymans, Minister for Foreign Affairs, Minister of State;

The President of the French Republic:

Mr. Aristide Briand, Minister for Foreign Affairs;

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His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs;

For the Dominion of Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister and Minister for External Affairs;

For the Commonwealth of Australia:

The Honourable Alexander John McLachlan, Member of the Executive Federal Council;

For the Dominion of New Zealand:

The Honourable Sir Christopher James Parr, High Commissioner for New Zealand in Great Britain;

For the Union of South Africa:

The Honourable Jacobus Stephanus Smit, High Commissioner for the Union of South Africa in Great Britain;

For the Irish Free State:

Mr. William Thomas Cosgrave, President of the Executive Council;

For India:

The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, acting Secretary of State for Foreign Affairs;

His Majesty the King of Italy:

Count Gaetano Manzoni, his Ambassador Extraordinary and Plenipotentiary at Paris.

His Majesty the Emperor of Japan:

Count Uchida, Privy Councillor;

The President of the Republic of Poland:

Mr. A. Zaleski, Minister for Foreign Affairs;

The President of the Czechoslovak Republic:

Dr. Eduard Benès, Minister for Foreign Affairs;

who, having communicated to one another their full powers found in good and due form have agreed upon the following articles,

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Article I.

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

Article II.

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

Article III.

The present Treaty shall be ratified by the High Contracting Parties named in the Preamble in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington and the Treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

It shall be the duty of the Government of the United States to furnish each Government named in the Preamble and every Government subsequently adhering to this Treaty with a certified copy of the Treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

In faith whereof the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

Done at Paris, the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

(Seal) Gustav Stresemann
(Seal) Frank B. Kellogg
(Seal) Paul Hymans
(Seal) Ari Briand
(Seal) Cushenden
(Seal) W. L. Mackenzie King
(Seal) A. J. McLachlan
(Seal) C. J. Parr
(Seal) J. S. Smit
(Seal) Liam T. MacCosgair
(Seal) Cushenden
(Seal) G. Manzoni
(Seal) Uchida
(Seal) August Zaleski
(Seal) Dr. Eduard Benes

Exhibit G13 17
Filed Dec. 5, 1945

TC 18.

DECLARATION CONCERNING WARS OF AGGRESSION:

RESOLUTION OF THE THIRD COMMITTEE.

THE PRESIDENT:

Translation: The next item on the agenda is the examination of the Third Committee's Resolution with reference to the declaration concerning wars of aggression (document A. 109. 1927. IX).

(On the invitation of the President, M. Benes, Chairman of the Third Committee, and M. Sokal, Rapporteur, took their places on the platform).

THE PRESIDENT:

Translation: M. Sokal, Rapporteur, will address the assembly.

M. SOKAL (Poland), Rapporteur:

Translation: Mr. President, ladies and gentlemen - The draft resolution which I had the honour to submit to the Assembly on September 9th was referred to the Third Committee and was unanimously adopted by the Committee, with acclamation, on September 19th. The Committee has done me the honour of asking me to act as Rapporteur to the Assembly on the subject of this draft resolution, to which it has given its full adherence.

The Committee was of opinion that, at the present juncture, a solemn resolution passed by the Assembly, declaring that wars of aggression must never be employed as a means of settling disputes between States, and that such wars constitute an international crime, would have a salutary effect on public opinion, and would help to create an atmosphere favourable to the League's future work in the matter of security and disarmament.

While recognising that the draft resolution does not constitute a regular legal instrument, which would be adequate in itself and represent a concrete contribution towards security, the Third Committee unanimously agreed as to its great moral and educative value.

Being convinced that the League's work in the matter of security and disarmament can never prove successful or result in the establishment of a complete system of organised security until all mutual suspicion and fear of aggression are removed, your Committee decided to recommend the adoption of this draft resolution, which testifies to the desire of the States Members of the League to renounce all wars of aggression and is calculated to impress on public opinion a further desire for international conciliation. I have accordingly the honour to ask you to adopt the draft resolution now before you. It reads as follows:

The Assembly,

Recognising the solidarity which unites the community of nations;

Being inspired by a firm desire for the maintenance of general peace;

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Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;

Considering that a solemn renunciation of all wars of aggression would tend to creat an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament:

Declares:

(1) That all wars of aggression are, and shall always be, prohibited.

(2) That every pacific means must be employed to settle disputes of every description, which may arise between States.

The Assembly declares that the States Members of the League are under an obligation to conform to these principles.

THE PRESIDENT:

Translation: The Assembly is asked to give an opinion on the draft resolution submitted by M. Sokal on behalf of the Third Committee.

The General Committee of the Assembly, being anxious that the importance of this declaration should be fittingly marked, decided, at its last meeting, that the proper procedure for its adoption would be a vote by rool-call.

Accordingly, if the Assembly agrees, the vote will be taken by roll-call. (Assent).

In conformity with Rule 20, paragraph (a) of the Rules of Procedure, the name of each delegation shall be called and one of its members shall reply from his place in the hall "Yes" if in favour of the declaration, "No" if opposed to it, or "Not voting".

The result of the voting will be recorded and announced to the Assembly.

(The vote was taken.)

THE PRESIDENT:

Translation: All the delegations having pronounced in favour of the declaration submitted by the Third Committee, I declare it unanimously adopted.

The resolution was adopted.

Exhibit GB • 19
Filed Dec. 5, 1945

GERMAN ASSURANCE TO AUSTRIA, MAY 21st, 1935.

Germany neither intends nor wishes to interfere in the domestic affairs of Austria, to annex Austria or to attach that country to her. The German people and the German Government have, however, the very comprehensible desire, arising out of the simple feeling of solidarity due to a common national descent, that the right to self-determination should be guaranteed not only to foreign nations, but to the German people everywhere.

I myself believe that no regime which is not anchored in the people, supported by the people, and desired by the people, can exist permanently.

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Exhibit GB 20
Filed Dec. 5, 1945

TC 22

Agreement between the German Government and the Government of the Federal State of Austria, July 11th, 1936.

Translation of Official Communique broadcast from Vienna on July 11th, 1936.

It is officially announced: In the conviction that they are making a valuable contribution towards the whole European development in the direction of maintaining peace and in the belief that they are thereby best serving the manifold mutual interests of both German States, the Governments of the Federal State of Austria and of Germany have resolved to give their relations once more a normal and friendly form. In this connexion it is declared -

1. The German Government recognises the full sovereignty of the Federal State of Austria in the sense of the pronouncements of the German Leader and Chancellor of the 21st May, 1935.
2. Each of the two Governments regards the inner political order (including the question of Austrian national socialism) obtaining in the other country as an internal affair of the other country, upon which it will exercise neither direct nor indirect influence.
3. The Austrian Federal Government will conduct its policy in general and in particular towards Germany always on that fundamental line corresponding to the fact that Austria regards herself as a German State.

In this respect neither the Rome protocols of 1934 and their additions of 1936, nor the relationship of Austria to Italy and Hungary as partners in these protocols, are affected. Considering that the detente desired by both sides can only become really effectual if certain preliminary stipulations on the part of the Governments of both countries are carried out, the Austrian Federal Government and the German Government will pass a number of particular measures to bring about the requisite preliminary state of affairs.

H1150-0082

Exhibit GB 14
Filed Dec. 5, 1945

1 TRADUCTION - TRANSLATION.

No. 1296 - ARBITRATION TREATY[2] BETWEEN GERMANY AND CZECHOSLOVAKIA, DONE AT LOCARNO, OCTOBER 16, 1925.

Official text in French. This Treaty was registered with the Secretariat, in accordance with its Article 22, on September 14 1926, the date of its entry into force.

THE PRESIDENT OF THE GERMAN EMPIRE and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC.

Equally, resolved to maintain peace betwen Germany and Czechoslovakia by assuring the peaceful settlement of differences which might arise between the two countries;

Declaring that respect for the rights established by treaty or resulting from the law of nations is obligatory for international tribunals;

Agreeing to recognise that the rights of a State cannot be modified save with its consent;

And considering that sincere observance of the methods of peaceful settlement of international disputes permits of resolving without recourse to force, questions which may become the cause of division between States;

Have decided to embody in a treaty their common intentions in this respect, and have named as their plenipotentiaries the following:

THE PRESIDENT OF THE GERMAN EMPIRE;
Dr. Gustav STRESEMANN, Minister of Foreign Affairs;

The PRESIDENT OF THE CZECHOSLOVAK REPUBLIC:
Dr. Eduard BENES, Minister of Foreign Affairs;

Who, having exchanged their full powers, found in good and due form, are agreed upon the following articles:

PART I

ARTICLE 1.

All disputes of every kind between Germany and Czechoslovakia with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice[3] as laid down hereafter. It is agreed that the disputes referred to above include, in particular, those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Treaty and belonging to the past.

Disputes, for the settlement of which a special procedure is laid down in other conventions in force between the High Contracting Parties, shall be settled in conformity with the provisions of those Conventions.

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1. Communiquee par le Ministere des Affaires estrangeres de Sa Majeste britannique. 1. Communicated by His Britannic Majesty's Foreign Office.

2. The ratifications were deposited at Geneva, September 14, 1926.

3. Vol. VI, page 379; Vol. XI, page 204; Vol XV, page 304; Vol. XXIV, page 152; Vol. XXVII, page 416; Vol XXXIX, page 165; Vol XLV, page 96; and Vol. L, page 159 of this Series.

1925.

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ARTICLE 2.

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission, styled the PERMANENT CONCILATION COMMISSION, constituted in accordance with the present Treaty.

ARTICLE 3.

In the case of a dispute the occasion of which, according to the municip law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Treaty until a judgement with final effect has been pronounced, within a reasonable time, by the competent national judical authority.

ARTICLE 4.

The Permanent Concilation Commission mentioned in Article 2, shall be composed of five members, who shall be appointed as follows, that is to say: The High Contracting Parties shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers; those three Commissioners must be of different nationalities, and the High Contracting Parties shall appoint the president of the commission from among them.

The commissioners are appointed for three years and their mandate is renewable. Their appointment shall continue until their replacement, and in any case until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

ARTICLE 5.

The Permanent Concilation Commission shall be constituted within three months from the entry into force of the present Treaty.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

ARTICLE 6.

The Permanent Concilation Commission shall be informed by means of a request addressed to the president by the two Parties in agreement, or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the commission to take all necessary measures with a view to arriving at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

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ARTICLE 7.

Within fifteen days from the date when one of the High Contracting Powers shall have brought a dispute before the Permanent Conciliation Commission, either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be notified to take similar action within fifteen days from the date when the notification reaches it.

ARTICLE 8.

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the commission shall have been notified of the dispute.

ARTICLE 9.

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries, the commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of The Hague Convention[1] of the 18th October 1907, for the Pacific Settlement of International Disputes.

ARTICLE 10.

The Permanent Conciliation Commission shall meet in the absence of agreement by the Parties to the contrary at a place selected by its president.

ARTICLE 11.

The labours of the Permanent Conciliation Commission are not public except when a decision to that effect has been taken by the commission with the consent of the Parties.

ARTICLE 12.

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediaries between them and the commission; they may moreover be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The commission on its side shall be entitled to request oral explanation from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government

1 British and Foreign State Papers, Vol. 100, page 298.

ARTICLE 13.

Unless otherwise provided in the present Treaty the decisions of the Permanent Conciliation Commission shall be taken by a majority.

ARTICLE 14.

The High Contracting Parties undertake to facilitate the labours of t Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use th means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

ARTICLE 15.

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreemen between the High Contracting Parties, each of which shall contribute an equal sha

ARTICLE 16

In the event of no amicable agreement being reached before the Permanent Conciliation Commission the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its statue or to an arbitral tribunal under the conditions and according to the procedure laid down by The Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement af a month's notice one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

PART II

ARTICLE 17.

All questions on which the German and Czechoslovak Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy the settlement of which cannot be attained by means of a judical decision as provided in Article I of the present Treaty, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in an case to present a report.

The procedure laid down in Articles 6-15 of the present Treaty shall applicable

ARTICLE 18.

If the two Parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission the questi shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenan of the League.

GENERAL PROVISIONS.

ARTICLE 19.

In any case, and particularly if the question on which the Parties differ arise out of acts already committed or on the point of commission, the

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Conciliation Commission or, if the later has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article 41 of its statue, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the uestion is brought before it, to ensure that suitable provisional measures are taken. The High Contracting Parties undertake, respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

ARTICLE 20.

The present Treaty continues applicable as between the High Contractin Parties even when other Powers are also interested in the dispute.

ARTICLE 21.

The present Treaty, which is in conformity with the Covenant of the League of Nations, shall not in any way affect the rights and obligations of the High Contracting Parties as Members of the League of Nations and shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

ARTICLE 22.

The present Treaty shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britian and Italy.

It shall enter into and remain in force under the same conditions as the said Treaty.

The present Treaty, done in a single copy shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be request to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno, the sixteenth October, nineteen hundred and twenty-five.

(L.S.) (Signed) GUSTAV STRESEMANN

(L.S.) (Signed) Dr. EDUARD BENES.

Exhibit GB 21
Filed Dec. 5, 1945

GERMAN ASSURANCE TO CZECHOSLOVAKIA, MARCH 11, 1938.

No. 76.

(R 2524/162/12)

M. Masaryk to Viscount Halifax - (Received March 12)

London, March 12, 1938.

My Lord,

I have reported to my Government the interview which you were good enough to grant me today.

I have in consequence been instructed by my Government to bring to the official knowledge of His Majesty's Government the following facts: Yesterday evening (the 11th March) Field-Marshal Göring made two separate statements to M. Mastny, the Czechoslovak Minister in Berlin, assuring him that the developments in Austria will in no way have any detrimental influence on the relations between the German Reich and Czechoslovakia, and emphasising the continued earnest endeavour on the part of Germany to improve those mutual relations.

In the first statement the Field-Marshal used the expression: "Ich gebe Ihnen mein Ehrenwort",

In the second statement Field-Marshal Göring asserted that, having given his own word previously, he was now able to give the word of the head of the State, who had authorised him to take over temporarily his official duties. He then repeated the above assurances.

To-day (the 12th March) Field-Marshal Göring asked M. Mastny to call on him, repeated yesterday's assurances and added that the German troops, marching into Austria, have strictest orders to keep at least 15 kilom. from the Czechoslovak frontier; at the same time he expressed the hope that no mobilisation of the Czechoslovak army would take place.

M. Mastny was in a position to give him definite and binding assurances on this subject, and today spoke with Baron von Neurath, who, among other things, assured him on behalf of Herr Hitler that Germany still considers herself bound by the German-Czechoslovak Arbitration Convention concluded at Locarno in October 1925.

M. Mastny also saw today Herr von Mackensen, who assured him that the clarification of the Austrian situation will tend to improve German-Czechoslovak relations.

The Government of the Czechoslovak Republic wish to assure His Majesty's Government that they are animated by the earnest and ardent desire to live in the best possible neighbourly relations with the German Reich. They cannot, however, fail to view with great apprehension the sequel of events in Austria between the date of the bilateral agreement between Germany and Austria (11th July, 1936), and yesterday (11th March 1938).

I have, etc.,
JAN MASARYK.

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Exhibit USA 22
Filed Dec. 5, 1945

TC 28

(English Translation)

GERMAN ASSURANCE TO CZECHOSLOVAKIA

OF 26TH SEPTEMBER 1938

I have a little to explain. I am grateful to Mr. Chamberlain for all his efforts, and I have assured him that the German people want nothing but peace; but I have also told him that I cannot go back beyond the limits of our patience.

I assured him moreover, and I repeat it here, that when this problem is solved there will be no more territorial problems for Germany in Europe. And I further assured him that from the moment when Czechoslovakia solves its other problems, that is to say when the Czechs have come to an agreement with their other minorities peacefully and without oppression, I will no longer be interested in the Czech State. And that, as far as I am concerned, I will guarantee it. We don't want any Czechs! But I must also declare before the German people that in the Sudeten German problem my patience is now at an end. I made an offer to Herr Benes which was no more than the realisation of what he had already promised. He now has peace or war in his hands. Either he will accept this offer and at length give the Germans their freedom, or we will get this freedom for ourselves.

Exhibit GB 23
Filed Dec. 5, 1945

TC. 23.

No. 3.

Extract from Statement made by the Prime Minister to the House of Commons on September 28 announcing the Reichschancellor's reply to the Message which he had sent to him that morning.

"I have something further to say to the House yet. I have now been informed by Herr Hitler that he invites me to meet him at Munich tomorrow morning. He has also invited Signor Mussolini and M. Daladier. Signor Mussolini has accepted, and I have no doubt M. Daladier will also accept. I need not say what my answer will be."

No. 4.

AGREEMENT CONCLUDED AT MUNICH ON SEPTEMBER 29, 1938.

Germany, the United Kingdom, France and Italy, taking into consideration the agreement, which has been already reached in principle for the cession to Germany of the Sudeten German territory, have agreed on the following terms and conditions governing the said cession and the measures consequent thereon, and by this agreement they each hold themselves responsible for the steps necessary to secure fulfilment:-

1. The evacuation will begin on the 1st October.

2. The United Kingdom, France and Italy agree that the evacuation of the territory shall be completed by the 10th October, without any existing installations having been destroyed and that the Czechoslovak Government will be held responsible for carrying out the evacuation without damage to the said installations.

3. The conditions governing the evacuation will be laid down in detail by an international commission composed of representatives of Germany, the United Kingdom, France, Italy and Czechoslovakia.

4. The occupation by stages of the predominantly German territory by German troops will begin on 1st October. The four territories marked on the attached map (1) will be occupied by German troops in the following order: the territory marked No. 1 on the 1st and 2nd of October, the territory marked No. II on the 2nd and 3rd of October, the territory marked No. III on the 3rd, 4th and 5th of October, the territory marked No. IV on the 6th and 7th of October. The remaining territory of preponderantly German character will be ascertained by the aforesaid international commission forthwith and be occupied by German troops by the 10th of October.

5. The international commission referred to in paragraph 3 will determine the territories in which a plebiscite is to be held. These territories will be occupied by international bodies until the plebiscite has been completed. The same commission will fix the conditions in which the plebiscite is to be held, taking as a basis the conditions of the Saar plebiscite. The commission will also fix a date, not later than the end of November, on which the plebiscite will be held.

6. The final determination of the frontiers will be carried out by the international commission. This commission will also be entitled to recommend to the four Powers, Germany, the United Kingdom, France and Italy, in certain exceptional cases minor modifications in the strictly ethnographical determination of the zones which are to be transferred without plebiscite.

(1) See sketch map based on the original. The sketch map illustrating the Reichschancellor's memorandum of September 23 (see Cmd. 5847), is also reproduced.

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7. There will be a right of option into and out of the transferred territories, the option to be exercised within six months from the date of this agreement. A German-Czechoslovak commission shall determine the details of the option, consider ways of facilitating the transfer of population and settle questions of principle arising out of the said transfer.

8. The Czechoslovak Government will within a period of four weeks from the date of this agreement release from their military and police forces any Sudeten Germans who may wish to be released, and the Czechoslovak Government will within the same period release Sudeten German prisoners who are serving terms of imprisonment for political offences.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich,
September, 29, 1938.

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Annex to the Agreement.

His Majesty's Government in the United Kingdom and the French Government have entered into the above agreement on the basis that they stand by the offer, contained in paragraph 6 of the Anglo-French proposals of the 19th September, (1) relating to an international guarantee of the new boundaries of the Czechoslovak State against unprovoked aggression.

When the question of the Polish and Hungarian minorities in Czechoslovakia has been settled, Germany and Italy for their part will give a guarantee to Czechoslovakia.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DELADIER.
BENITO MUSSOLINI.

Munich,
September 29, 1938.

(1) See Cmd. 5847.

Declaration.

The Heads of the Governments of the four Powers declare that the problems of the Polish and Hungarian minorities in Czechoslovakia, if not settled within three months by agreement between the respective Governments, shall form the subject of another meeting of the Heads of the Governments of the four Powers here present.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich,
September 29, 1938.

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Supplementary Declaration.

All questions which may arise out of the transfer of the territory shall be considered as coming within the terms of reference to the international commission.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich,
September 29, 1938.

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Composition of the International Commission.

The four Heads of Government here present agree that the international commission provided for in the agreement signed by them to-day, shall consist of the Secretary of State in the German Foreign Office, the British, French and Italian Ambassadors accredited in Berlin, and a representative to be nominated by the Government of Czechoslovakia.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich,
September, 29, 1938.

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Enclosure No.2 to despatch No.1511 dated October 20, 1939, from the American Embassy, Berlin, Germany.

Source: Reichgesetzblatt II, No.38, of September 30, 1939.

TRANSLATION

Announcement relating to the German-Soviet Non-Aggression Treaty

September 25, 1939.

On August 23, 1939, a non-aggression treaty was signed in Moscow by representatives of the German Reich and the Union of Soviet Socialist Republics. The treaty is published herewith.

The exchange of the documents of ratification took place in Berlin on September 24, 1939. The treaty became effective on August 23, 1939 in accordance with its Article VII.

Berlin, September 25, 1939.

The Reich Minister of Foreign Affairs
by Baron von Weizsäcker

Non-Aggression Treaty between Germany and the Union of Soviet Socialist Republics

The Government of the German Reich

and

The Government of the Union of Soviet Socialist Republics

directed by the wish to strengthen the cause of peace between Germany and the U.S.S.R. and proceeding upon the basic provisions of the Treaty of Neutrality concluded between Germany and the U.S.S.R. in April 1926, have reached the following agreement:

Article 1

The two contracting parties undertake to refrain from any act of violence, any aggressive action, or any attack against one another, whether individually or jointly with other powers.

Article 2

In case one of the contracting parties should become the object of war-like acts on the part of a third power, the other contracting party will not support that third power in any form.

Article 3

The Governments of the two contracting parties will in future remain in contact with each other through continuous consultation in order to inform each other concerning questions affecting their mutual interests.

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Article 4

Neither of the two contracting parties will participate in any grouping of powers which is indirectly or directly aimed against the other party.

Article 5

Should disputes or conflicts arise between the contracting parties regarding questions of any kind whatsoever, the two parties would clear away these disputes or conflicts solely by means of friendly exchanges of views or if necessary by arbitration commissions.

Article 6

The present treaty is concluded for a period of ten years with the provision that unless one of the contracting parties denounces it one year before the end of this period the duration of the validity of this treaty is to be regarded as automatically prolonged for another five years.

Article 7

The present treaty is to be ratified within the shortest possible time. The documents of ratification are to be exchanged in Berlin. The treaty becomes effective immediately upon signature.

Drawn up in duplicate texts in the German and Russian languages.

Moscow, August 23, 1939.

For the Government of the German Reich

von Ribbentrop

As Plenipotentiary for the Government of the U.S.S.R.

s.Molotov

Exhibit GB 12
Filed Dec. 5, 1945

TC 11

TREATY SERIES, No. 658

TREATY

BETWEEN

THE UNITED STATES AND GERMANY

Restoring Friendly Relations

SIGNED AT BERLIN, AUGUST 25, 1921
RATIFICATION ADVISED BY THE SENATE, OCTOBER 18, 1921
RATIFIED BY THE PRESIDENT, OCTOBER 21, 1921
RATIFIED BY GERMANY, NOVEMBER 2, 1921
RATIFICATIONS EXCHANGED AT BERLIN, NOVEMBER 11, 1921
PROCLAIMED, NOVEMBER 14, 1921, AND
PARTS OF TREATY OF VERSAILLES CONCLUDED JUNE 28, 1919

WASHINGTON
GOVERNMENT PRINTING OFFICE
1922

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By the President of the United States of America.

A PROCLAMATION

WHEREAS, by a Joint Resolution of Congress, approved March 3, 1921, it was declared that certain Acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial German Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved April 6, 1917, to exist between the United States of America and the Imperial German Government was declared at an end;

WHEREAS, a treaty between the United States and Germany was signed at Berlin on August 25, 1921, to restore the friendly relations existing between the two nations prior to the outbreak of war, which treaty is word for word as follows:

The United States of America
and
Germany:

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Germany on November 11, 1918, in order that a Treaty of Peace might be concluded;

Considering that the Treaty of Versailles was signed on June 28, 1919, and came into force according to the terms of its Article 440, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

"RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF

Die Vereinigten Staaten von Amerika
und
Deutschland:

In der Erwägung, daß die Vereinigten Staaten gemeinschaftlich mit ihren Mitkriegführenden am 11. November 1918 einen Waffenstillstand mit Deutschland vereinbart haben, damit ein Friedensvertrag abgeschlossen werden könne;

In der Erwägung, daß der Vertrag von Versailles am 28. Juni 1919 unterzeichnet wurde und gemäß den Bestimmungen des Artikels 440 in Kraft getreten, aber von den Vereinigten Staaten nicht ratifiziert worden ist;

In der Erwägung, daß der Kongreß der Vereinigten Staaten einen gemeinsamen Beschluß gefaßt hat, der von dem Präsidenten am 2. Juli 1921 genehmigt worden ist und im Auszug wie folgt lautet:

„Beschlossen vom Senat und dem Repräsentantenhaus der Vereinigten

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THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

"Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

. . . . . .

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the

Staaten von Amerika, die zum Kongreß versammelt sind, daß der durch den am 6. April 1917 genehmigten gemeinsamen Beschluß des Kongresses erklärte Kriegszustand zwischen der Kaiserlich Deutschen Regierung und den Vereinigten Staaten von Amerika hiermit für beendet erklärt wird.

„Sektion 2. Daß durch Abgabe dieser Erklärung und als ein Teil davon den Vereinigten Staaten von Amerika und ihren Staatsangehörigen jedwede und alle Rechte, Privilegien, Entschädigungen, Reparationen oder Vorteile einschließlich des Rechts, sie zwangsweise durchzuführen, ausdrücklich vorbehalten werden, auf welche die Vereinigten Staaten von Amerika oder ihre Staatsangehörigen nach den am 11. November 1918 unterzeichneten Waffenstillstandsbedingungen sowie irgendwelchen Erweiterungen oder Abänderungen derselben einen Anspruch erworben haben; oder die von den Vereinigten Staaten von Amerika infolge ihrer Beteiligung am Kriege erworben worden sind oder sich in ihrem Besitz befinden; oder auf die ihre Staatsangehörigen dadurch rechtmäßig Anspruch erworben haben; oder die in dem Vertrage von Versailles zu ihren oder ihrer Staatsangehörigen Gunsten festgesetzt worden sind; oder auf die sie als eine der alliierten und assoziierten Hauptmächte oder kraft irgendeines vom Kongreß beschlossenen Gesetzes oder sonstwie einen Anspruch haben.

. . . . . .

„Sektion 5. Alles Eigentum der Kaiserlich Deutschen Regierung oder ihres Nachfolgers oder ihrer Nachfolger und das Eigentum aller deutschen Staatsangehörigen, das sich am 6. April 1917 im Besitz oder in der Gewalt der Vereinigten Staaten von Amerika oder eines ihrer Beamten, Vertreter oder Angestellten befand oder

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United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro - Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro - Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or

seit diesem Tage in deren Besitz oder Gewalt gelangt oder Gegenstand einer Forderung seitens derselben gewesen ist, gleichviel aus welchem Ursprung oder aus welcher Tätigkeit, und alles Eigentum der K. u. K. Österreichisch-Ungarischen Regierung oder ihres Nachfolgers oder ihrer Nachfolger and aller österreichisch-ungarischen Staatsangehörigen, das sich am 7. Dezember 1917 im Besitz oder in der Gewalt der Vereinigten Staaten von Amerika oder eines ihrer Beamten, Vertreter oder Angestellten befand oder seit diesem Tage in deren Besitz oder Gewalt gelangt oder Gegenstand einer Forderung seitens derselben gewesen ist, gleichviel aus welchem Ursprung oder aus welcher Tätigkeit, soll von den Vereinigten Staaten von Amerika zurückbehalten und darüber keine Verfügung getroffen werden, soweit nicht gesetzlich darüber bereits verfügt ist oder im einzelnen künftig darüber verfügt wird. Dies gilt bis zu dem Zeitpunkt, wo die Kaiserlich Deutsche Regierung beziehungsweise die K. u. K. Österreichisch-Ungarische Regierung oder ihr Nachfolger oder ihre Nachfolger angemessene Vorkehrungen zur Befriedigung aller Forderungen gegen eine der genannten Regierungen seitens aller Personen ohne Rücksicht auf ihren Wohnsitz getroffen haben, die zu den Vereinigten Staaten von Amerika in einem dauernden Treuverhältnis stehen, und die durch Handlungen der Kaiserlich Deutschen Regierung oder ihrer Vertreter oder der K. u. K. Österreichisch-Ungarischen Regierung oder deren Vertreter seit dem 31. Juli 1914 Verlust, Nachteil oder Schaden an ihrer Person oder ihrem Eigentum unmittelbar oder mittelbar, sei es durch den Besitz von Anteilen deutscher, österreichisch-ungarischer, amerikanischer oder anderer Körperschaften oder infolge von Feindseligkeiten oder irgendwelchen Kriegshandlungen

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of any operations of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce and industrial property rights, and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of restoring the friendly relations existing between the two Nations prior to the outbreak of war:

Have for that purpose appointed their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

ELLIS LORING DRESEL, Commissioner of the United States of America to Germany,

and

THE PRESIDENT OF THE GERMAN EMPIRE

Dr. FRIEDRICH ROSEN, Minister for Foreign Affairs,

oder auf andere Weise erlitten haben, ferner solchen Personen, die zu den Vereinigten Staaten von Amerika in einem dauernden Treuverhältnis stehen, das Meistbegünstigungsrecht in allen Angelegenheiten, betreffend Niederlassung, Geschäftsbetrieb, Berufsausübung, Verkehr, Schiffahrt, Handel und gewerbliche Schutzrechte, zugestanden haben, einerlei, ob dieses Recht auf die Nationalität abgestellt oder sonstwie bestimmt ist; endlich bis die Kaiserlich Deutsche Regierung beziehungsweise die K. u. K. Österreichisch-Ungarische Regierung oder ihr Nachfolger oder ihre Nachfolger den Vereinigten Staaten von Amerika gegenüber alle von diesen während des Krieges auferlegten oder verfügten Strafgelder, Verwirkungen, Bußen und Beschlagnahmen bestätigt haben, gleichviel ob diese Eigentum der Kaiserlich Deutschen Regierung oder deutscher Staatsangehöriger oder der K. u. K. Österreichisch-Ungarischen Regierung oder österreichisch-ungarischer Staatsangehöriger betreffen, und bis sie auf allen und jeden Geldanspruch gegen die Vereinigten Staaten von Amerika verzichtet haben."

In dem Wunsche, die freundschaftlichen Beziehungen, die vor Ausbruch des Krieges zwischen den beiden Nationen bestanden haben, wieder herzustellen,

Haben zu diesem Zwecke zu ihren Bevollmächtigten bestellt:

der Präsident der Vereinigten Staaten von Amerika

den Commissioner der Vereinigten Staaten von Amerika in Deutschland, Herrn Ellis Loring Dresel

und

der Präsident des Deutschen Reichs

den Reichsminister des Auswärtigen, Herrn Dr. Friedrich Rosen.

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Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

Germany undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Versailles which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States.

ARTICLE II.

With a view to defining more particularly the obligations of Germany under the foregoing Article with respect to certain provisions in the Treaty of Versailles, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States, which it is intended the United States shall have and enjoy, are those defined in Section 1, of Part IV, and Parts V, VI, VIII, IX, X, XI, XII, XIV, and XV.

The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty mentioned in this paragraph will do so in a manner consistent with the rights accorded to Germany under such provisions.

(2) That the United States shall not be bound by the pro-

Diese haben nach Austausch ihrer für gut und richtig befundenen Vollmachten folgendes vereinbart:

Artikel I.

Deutschland verpflichtet sich, den Vereinigten Staaten zu gewähren und die Vereinigten Staaten sollen besitzen und genießen alle Rechte, Privilegien, Entschädigungen, Reparationen oder Vorteile, die in dem vorgenannten gemeinschaftlichen Beschlusse des Kongresses der Vereinigten Staaten vom 2. Juli 1921 näher bezeichnet sind, mit Einschluß aller Rechte und Vorteile, die zugunsten der Vereinigten Staaten in dem Vertrag von Versailles festgesetzt sind und die Vereinigten Staaten in vollem Umfange genießen sollen, ungeachtet der Tatsache, daß dieser Vertrag von den Vereinigten Staaten nicht ratifiziert worden ist.

Artikel II.

In der Absicht, die Verpflichtungen Deutschlands gemäß dem vorhergehenden Artikel mit Beziehung auf gewisse Bestimmungen des Vertrags von Versailles näher zu bestimmen, besteht Einverständnis und Einigung zwischen den Hohen Vertragschließenden Teilen darüber:

1. daß die Rechte und Vorteile, die in jenem Vertrage zugunsten der Vereinigten Staaten festgesetzt sind und die die Vereinigten Staaten besitzen und genießen sollen, diejenigen sind, die in Abschnitt 1 des Teiles IV und in den Teilen V, VI, VIII, IX, X, XI, XII, XIV und XV aufgeführt sind.

Wenn die Vereinigten Staaten die in den Bestimmungen jenes Vertrags festgesetzten und in diesem Paragraphen erwähnten Rechte und Vorteile für sich in Anspruch nehmen, werden sie dies in einer Weise tun, die mit den Deutschland nach diesem Bestimmungen zustehenden Rechten im Einklang steht;

2. daß die Vereinigten Staaten nicht an die Bestimmungen des Teiles I

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visions of Part I of that Treaty, nor by any provisions of that Treaty including those mentioned in Paragraph (1) of this Article, which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Sections 2 to 8 inclusive of Part IV, and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty, and in any other Commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 440 of the Treaty of Versailles shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

ARTICLE III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Berlin.

In Witness Whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

jenes Vertrags noch an irgendwelche Bestimmungen jenes Vertrags, mit Einschluß der in Nr. 1 dieses Artikels erwähnten, gebunden sein sollen, die sich auf die Völkerbundssatzung beziehen, daß auch die Vereinigten Staaten durch keine Maßnahme des Völkerbundes, des Völkerbundsrates oder der Völkerbundsversammlung gebunden sein sollen, es sei denn, daß die Vereinigten Staaten ausdrücklich ihre Zustimmung zu einer solchen Maßnahme geben;

3. daß die Vereinigten Staaten keine Verpflichtungen aus den Bestimmungen des Teiles II,. Teiles III, der Abschnitte 2 bis einschließlich 8 des Teiles IV und des Teiles XIII des bezeichneten Vertrags oder mit Beziehung auf diese Bestimmungen übernehmen;

4. daß, während die Vereinigten Staaten berechtigt sind, an der Reparationskommission gemäß den Bestimmungen des Teiles VIII jenes Vertrags und an irgendeiner anderen auf Grund des Vertrags oder eines ergänzenden Übereinkommens eingesetzten Kommission teilzunehmen, die Vereinigten Staaten nicht verpflichtet sind, sich an irgendeiner solchen Kommission zu beteiligen, es sei denn, daß sie dies wollen;

5. daß die im Artikel 440 des Vertrags von Versailles erwähnten Fristen, soweit sie sich auf eine Maßnahme oder Entschließung der Vereinigten Staaten beziehen, mit dem Inkrafttreten des gegenwärtigen Vertrags zu laufen beginnen sollen.

Artikel III.

Der gegenwärtige Vertrag soll gemäß den verfassungsrechtlichen Formen der Hohen Vertragschließenden Teile ratifiziehrt werden und soll sofort mit Austausch der Ratifikationsurkunden, der so bald als möglich in Berlin stattfinden wird, in Kraft treten.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten diesen Vertrag unterzeichnet und ihre Siegel beigefügt.

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Done in duplicate in Berlin this twenty-fifth day of August 1921.

[SEAL.] ELLIS LORING DRESEL
[SEAL.] ROSEN

Ausgefertigt in doppelter Urschrift in Berlin am 25. August 1921.

[SEAL.] ELLIS LORING DRESEL
[SEAL.] ROSEN

AND WHEREAS, the said treaty has been duly ratified on both parts, and the ratifications of the two countries were exchanged at Berlin on November 11, 1921;

NOW THEREFORE be it known that I, Warren G. Harding, President of the United States of America, hereby proclaim that the war between the United States and Germany terminated on July 2, 1921, and cause the said treaty to be made public to the end that every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this fourteenth day of November One Thousand Nine Hundred and Twenty-one and of the [SEAL.] Independence of the United States of America the One Hundred and Forty-sixth.

WARREN G HARDING

By the President:
CHARLES E. HUGHES
Secretary of State.

[RATIFICATION.]

WARREN G. HARDING,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, That whereas a Treaty between the United States of America and Germany to restore the friendly relations existing between the two nations prior to the outbreak of war, was concluded and signed by their respective plenipotentiaries at Berlin on August 25, 1921, the original of which Treaty, in the English and German languages, is hereto annexed:

And Whereas, the Senate of the United States, by their resolution of October 18, 1921, (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said Treaty, subject to the understanding, made a part of the resolution of ratification, "that the United States shall not be represented or participate in any body, agency or commission, nor shall any person represent the United States as a member of any body, agency or commission in which the United States is authorized to participate by this Treaty, unless and until an Act of the Congress of the United States shall provide for such representation or participation"; and subject to the further understanding, made a part of the resolution of ratification, "that the rights and advantages which the United States is entitled to have and enjoy under this Treaty embrace the rights and advantages of nationals of the United States specified in the Joint Resolution or in the provisions of the Treaty of Versailles to which this Treaty refers";

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NOW, therefore, be it known that I, Warren G. Harding, President of the United States of America, having seen and considered the said Treaty, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twenty-first day of October, in the year of our Lord one thousand
[SEAL.] nine hundred and twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G HARDING

By the President:
CHARLES E. HUGHES
Secretary of State.

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SECTION I OF PART IV AND PARTS V, VI, VIII, IX, X, XI, XII, XIV, AND XV

OF THE

TREATY OF VERSAILLES

Concluded June 28, 1919.

PART IV.

SECTION I.

GERMAN COLONIES.

ARTICLE 119.

Germany renounces in favour of the Principal Allied and Associated Powers all her rights and titles over her oversea possessions.

ARTICLE 120.

All movable and immovable property in such territories belonging to the German Empire or to any German State shall pass to the Government exercising authority over such territories, on the terms laid down in Article 257 of Part IX (Financial Clauses) of the present Treaty. The decision of the local courts in any dispute as to the nature of such property shall be final.

ARTICLE 121.

The provisions of Sections I and IV of Part X (Economic Clauses) of the present Treaty shall apply in the case of these territories whatever be the form of Government adopted for them.

ARTICLE 122.

The Government exercising authority over such territories may make such provisions as it thinks fit with reference to the repatriation from them of German nationals and to the conditions upon which German subjects of European origin shall, or shall not, be allowed to reside, hold property, trade or exercise a profession in them.

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ARTICLE 123.

The provisions of Article 260 of Part IX (Financial Clauses) of the present Treaty shall apply in the case of all agreements concluded with German nationals for the construction or exploitation of public works in the German oversea possessions, as well as any sub-concessions or contracts resulting therefrom which may have been made to or with such nationals.

ARTICLE 124.

Germany hereby undertakes to pay, in accordance with the estimate to be presented by the French Government and approved by the Reparation Commission, reparation for damage suffered by French nationals in the Cameroons or the frontier zone by reason of the acts of the German civil and military authorities and of German private individuals during the period from January 1, 1900, to August 1, 1914.

ARTICLE 125.

Germany renounces all rights under the Conventions and Agreements with France of November 4, 1911, and September 28, 1912, relating to Equatorial Africa. She undertakes to pay to the French Government, in accordance with the estimate to be presented by that Government and approved by the Reparation Commission, all the deposits, credits, advances, etc., effected by virtue of these instruments in favour of Germany.

ARTICLE 126.

Germany undertakes to accept and observe the agreements made or to be made by the Allied and Associated Powers or some of them with any other Power with regard to the trade in arms and spirits, and to the matters dealt with in the General Act of Berlin of February 26, 1885, the General Act of Brussels of July 2, 1890, and the conventions completing or modifying the same.

ARTICLE 127.

The native inhabitants of the former German oversea possessions shall be entitled to the diplomatic protection of the Governments exercising authority over those territories.

PART V.

MILITARY, NAVAL AND AIR CLAUSES.

In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow.

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SECTION I.

MILITARY CLAUSES.

CHAPTER I.

EFFECTIVES AND CADRES OF THE GERMAN ARMY.

ARTICLE 159.

The German military forces shall be demobilized and reduced as prescribed hereinafter.

ARTICLE 160.

(1) By a date which must not be later than March 31, 1920, the German Army must not comprise more than seven divisions of infantry and three divisions of cavalry.

After that date the total number of effectives in the Army of the States constituting Germany must not exceed one hundred thousand men, including officers and establishments of depots. The Army shall be devoted exclusively to the maintenance of order within the territory and to the control of the frontiers.

The total effective strength of officers, including the personnel of staffs, whatever their composition, must not exceed four thousand.

(2) Divisions and Army Corps headquarters staffs shall be organised in accordance with Table No. I annexed to this Section.

The number and strengths of the units of infantry, artillery, engineers, technical services and troops laid down in the aforesaid Table constitute maxima which must not be exceeded.

The following units may each have their own depot:

An Infantry regiment;
A Cavalry regiment;
A regiment of Field Artillery;
A battalion of Pioneers.

(3) The divisions must not be grouped under more than two army corps headquarters staffs.

The maintenance or formation of forces differently grouped or of other organisations for the command of troops or for preparation for war is forbidden.

The Great German General Staff and all similar organisations shall be dissolved and may not be reconstituted in any form.

The officers, or persons in the position of officers, in the Ministries of War in the different States in Germany and in the Administrations attached to them, must not exceed three hundred in number and are included in the maximum strength of four thousand laid down in the third sub-paragraph of paragraph (1) of this Article.

ARTICLE 161.

Army administrative services consisting of civilian personnel not included in the number of effectives prescribed by the present Treaty will have such personnel reduced in each class to one-tenth of that laid down in the Budget of 1913.

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ARTICLE 162.

The number of employees or officials of the German States, such as customs officers, forest guards and coastguards, shall not exceed that of the employees or officials functioning in these capacities in 1913.

The number of gendarmes and employees or officials of the local or municipal police may only be increased to an extent corresponding to the increase of population since 1913 in the districts or municipalities in which they are employed.

These employees and officials may not be assembled for military training.

ARTICLE 163.

The reduction of the strength of the German military forces as provided for in Article 160 may be effected gradually in the following manner:

Within three months from the coming into force of the present Treaty the total number of effectives must be reduced to 200,000 and the number of units must not exceed twice the number of those laid down in Article 160.

At the expiration of this period, and at the end of each subsequent period of three months, a Conference of military experts of the Principal Allied and Associated Powers will fix the reductions to be made in the ensuing three months, so that by March 31, 1920, at the latest the total number of German effectives does not exceed the maximum number of 100,000 men laid down in Article 160. In these successive reductions the same ratio between the number of officers and of men, and between the various kinds of units, shall be maintained as is laid down in that Article.

CHAPTER II.

ARMAMENT, MUNITIONS AND MATERIAL.

ARTICLE 164.

Up till the time at which Germany is admitted as a member of the League of Nations the German Army must not possess an armament greater than the amounts fixed in Table No. II annexed to this Section, with the exception of an optional increase not exceeding one-twentyfifth part for small arms and one-fiftieth part for guns, which shall be exclusively used to provide for such eventual replacements as may be necessary.

Germany agrees that after she has become a member of the League of Nations the armaments fixed in the said Table shall remain in force until they are modified by the Council of the League. Furthermore she hereby agrees strictly to observe the decisions of the Council of the League on this subject.

ARTICLE 165.

The maximum number of guns, machine guns, trench-mortars, rifles and the amount of ammunition and equipment which Ger-

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many is allowed to maintain during the period between the coming into force of the present Treaty and the date of March 31, 1920, referred to in Article 160, shall bear the same proportion to the amount authorized in Table No III annexed to this Section as the strength of the German Army as reduced from time to time in accordance with Article 163 bears to the strength permitted under Article 160.

ARTICLE 166.

At the date of March 31, 1920, the stock of munitions which the German Army may have at its disposal shall not exceed the amounts fixed in Table No. III annexed to this Section.

Within the same period the German Government will store these stocks at points to be notified to the Governments of the Principal Allied and Associated Powers. The German Government is forbidden to establish any other stocks, depots or reserves of munitions.

ARTICLE 167.

The number and calibre of the guns constituting at the date of the coming into force of the present Treaty the armament of the fortified works, fortresses, and any land or coast forts which Germany is allowed to retain must be notified immediately by the German Government to the Governments of the Principal Allied and Associated Powers, and will constitute maximum amounts which may not be exceeded.

Within two months from the coming into force of the present Treaty, the maximum stock of ammunition for these guns will be reduced to, and maintained at, the following uniform rates:—fifteen hundred rounds per piece for those the calibre of which is 10.5 cm. and under: five hundred rounds per piece for those of higher calibre.

ARTICLE 168.

The manufacture of arms, munitions, or any war material, shall only be carried out in factories or works the location of which shall be communicated to and approved by the Governments of the Principal Allied and Associated Powers, and the number of which they retain the right to restrict.

Within three months from the coming into force of the present Treaty, all other establishments for the manufacture, preparation, storage or design of arms, munitions, or any war material whatever shall be closed down. The same applies to all arsenals except those used as depots for the authorised stocks of munitions. Within the same period the personnel of these arsenals will be dismissed.

ARTICLE 169.

Within two months from the coming into force of the present Treaty German arms, munitions and war material, including anti-aircraft material, existing in Germany in excess of the quantities allowed, must be surrendered to the Governments of the Principal Allied and Associated Powers to be destroyed or rendered useless.

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This will also apply to any special plant intended for the manufacture of military material, except such as may be recognised as necessary for equipping the authorised strength of the German army.

The surrender in question will be effected at such points in German territory as may be selected by the said Governments.

Within the same period arms, munitions and war material, including anti-aircraft material, of origin other than German, in whatever state they may be, will be delivered to the said Governments, who will decide as to their disposal.

Arms and munitions which on account of the successive reductions in the strength of the German army become in excess of the amounts authorized by Tables II and III annexed to this Section must be handed over in the manner laid down above within such periods as may be decided by the Conferences referred to in Article 163.

ARTICLE 170.

Importation into Germany of arms, munitions and war material of every kind shall be strictly prohibited.

The same applies to the manufacture for, and export to, foreign countries of arms, munitions and war material of every kind.

ARTICLE 171.

The use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Germany.

The same applies to materials specially intended for the manufacture, storage and use of the said products or devices.

The manufacture and the importation into Germany of armoured cars, tanks and all similar constructions suitable for use in war are also prohibited.

ARTICLE 172.

Within a period of three months from the coming into force of the present Treaty, the German Government will disclose to the Governments of the Principal Allied and Associated Powers the nature and mode of manufacture of all explosives, toxic substances or other like chemical preparations used by them in the war or prepared by them for the purpose of being so used.

CHAPTER III.

RECRUITING AND MILITARY TRAINING.

ARTICLE 173.

Universal compulsory military service shall be abolished in Germany.

The German Army may only be constituted and recruited by means of voluntary enlistment.

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ARTICLE 174.

The period of enlistment for non-commissioned officers and privates must be twelve consecutive years.

The number of men discharged for any reason before the expiration of their term of enlistment must not exceed in any year five per cent. of the total effectives fixed by the second sub-paragraph of paragraph (1) of Article 160 of the present Treaty.

ARTICLE 175.

The officers who are retained in the Army must undertake the obligation to serve in it up to the age of forty-five years at least.

Officers newly appointed must undertake to serve on the active list for twenty-five consecutive years at least.

Officers who have previously belonged to any formations whatever of the Army, and who are not retained in the units allowed to be maintained, must not take part in any military exercise whether theoretical or practical, and will not be under any military obligations whatever.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year five per cent. of the total effectives of officers provided for in the third sub-paragraph of paragraph (1) of Article 160 of the present Treaty.

ARTICLE 176.

On the expiration of two months from the coming into force of the present Treaty there must only exist in Germany the number of military schools which is absolutely indispensable for the recruitment of the officers of the units allowed. These schools will be exclusively intended for the recruitment of officers of each arm, in the proportion of one school per arm.

The number of students admitted to attend the courses of the said schools will be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres will be reckoned in the effectives fixed by the second and third sub-paragraphs of paragraph (1) of Article 160 of the present Treaty.

Consequently, and during the period fixed above, all military academies or similar institutions in Germany, as well as the different military schools for officers, student officers (*Aspiranten*), cadets, non-commissioned officers or student non-commissioned officers (*Aspiranten*), other than the schools above provided for, will be abolished.

ARTICLE 177.

Educational establishments, the universities, societies of discharged soldiers, shooting or touring clubs and, generally speaking, associations of every description, whatever be the age of their members, must not occupy themselves with any military matters.

In particular they will be forbidden to instruct or exercise their members, or to allow them to be instructed or exercised, in the profession or use of arms.

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These societies, associations, educational establishments and universities must have no connection with the Ministries of War or any other military authority.

ARTICLE 178.

All measures of mobilization or appertaining to mobilization are forbidden.

In no case must formations, administrative services or General Staffs include supplementary cadres.

ARTICLE 179.

Germany agrees, from the coming into force of the present Treaty, not to accredit nor to send to any foreign country any military, naval or air mission, nor to allow any such mission to leave her territory, and Germany further agrees to take appropriate measures to prevent German nationals from leaving her territory to become enrolled in the Army, Navy or Air service of any foreign Power, or to be attached to such Army, Navy or Air service for the purpose of assisting in the military, naval or air training thereof, or otherwise for the purpose of giving military, naval or air instruction in any foreign country.

The Allied and Associated Powers agree, so far as they are concerned, from the coming into force of the present Treaty, not to enrol in nor to attach to their armies or naval or air forces any German national for the purpose of assisting in the military training of such armies or naval or air forces, or otherwise to employ any such German national as military, naval or aeronautic instructor.

The present provision does not, however, affect the right of France to recruit for the Foreign Legion in accordance with French military laws and regulations.

CHAPTER IV.

FORTIFICATIONS.

ARTICLE 180.

All fortified works, fortresses and field works situated in German territory to the west of a line drawn fifty kilometres to the east of the Rhine shall be disarmed and dismantled.

Within a period of two months from the coming into force of the present Treaty such of the above fortified works, fortresses and field works as are situated in territory not occupied by Allied and Associated troops shall be disarmed, and within a further period of four months they shall be dismantled. Those which are situated in territory occupied by Allied and Associated troops shall be disarmed and dismantled within such periods as may be fixed by the Allied High Command.

The construction of any new fortification, whatever its nature and importance, is forbidden in the zone referred to in the first paragraph above.

The system of fortified works of the southern and eastern frontiers of Germany shall be maintained in its existing state.

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TABLE No. I.

STATE AND ESTABLISHMENT OF ARMY CORPS HEADQUARTERS STAFFS AND OF INFANTRY AND CAVALRY DIVISIONS.

These tabular statements do not form a fixed establishment to be imposed on Germany, but the figures contained in them (number of units and strengths) represent maximum figures, which should not in any case be exceeded.

I.—ARMY CORPS HEADQUARTERS STAFFS.

Unit.	Maximum No. authorised.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and Men.
Army Corps Headquarters Staff	2	30	150
Total for Headquarters Staffs	.....	60	300

II.—ESTABLISHMENT OF AN INFANTRY DIVISION.

Unit.	Maximum No. of such units in a single division.	Maximum strengths of each unit.	
		Officers.	N. C. O.'s and men.
Headquarters of an infantry division	1	25	70
Headquarters of divisional infantry	1	4	30
Headquarters of divisional artillery	1	4	30
Regiment of infantry	3	70	2,300
(Each regiment comprises 3 battalions of infantry. Each battalion comprises 3 companies of infantry and 1 machine-gun company.)			
Trench mortar company	3	6	150
Divisional squadron	1	6	150
Field artillery regiment	1	85	1,300
(Each regiment comprises 3 groups of artillery. Each group comprises 3 batteries.)			
Pioneer battalion	1	12	400
(This battalion comprises 2 companies of pioneers, 1 pontoon detachment, 1 searchlight section.)			
Signal detachment	1	12	300
(This detachment comprises 1 telephone detachment, 1 listening section, 1 carrier pigeon section.)			
Divisional medical service	1	20	400
Parks and convoys	.....	14	800
Total for infantry division	.....	410	10,830

III.—ESTABLISHMENT OF A CAVALRY DIVISION.

Unit.	Maximum No. of such units in a single division.	Maximum strengths of each unit.	
		Officers.	N. C. O.'s and men.
Headquarters of a cavalry division	1	15	50
Cavalry regiment	6	40	800
(Each regiment comprises 4 squadrons.)			
Horse artillery group (3 batteries)	1	20	400
Total for cavalry division	.....	275	5,250

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TABLE No. II.

TABULAR STATEMENT OF ARMAMENT ESTABLISHMENT FOR A MAXIMUM OF SEVEN INFANTRY DIVISIONS, THREE CAVALRY DIVISIONS, AND TWO ARMY CORPS HEADQUARTERS STAFFS.

Material.	Infantry division. (1)	For 7 infantry divisions. (2)	Cavalry division. (3)	For 3 cavalry divisions. (4)	Two army corps headquarters staffs. (5)	Total of columns 2, 4, and 5. (6)
Rifles	12,000	84,000	.....	.....	This establishment must be drawn from the increased armaments of the divisional infantry.	84,000
Carbines	.....	.....	6,000	18,000		18,000
Heavy machine guns	108	756	12	36		792
Light machine guns	162	1,134	.....	.....		1,134
Medium trench mortars	9	63	.....	.....		63
Light trench mortars	27	189	.....	.....		189
7.7 cm. guns	24	168	12	36		204
10.5 cm. howitzers	12	84	.....	.....		84

TABLE No. III.

MAXIMUM STOCKS AUTHORISED.

Material.	Maximum number of Arms authorised.	Establishment per unit.	Maximum totals.
		Rounds.	*Rounds.*
Rifles	84,000	400	40,800,000
Carbines	18,000		
Heavy machine guns	792	8,000	15,408,000
Light machine guns	1,134		
Medium trench mortars	63	400	25,200
Light trench mortars	189	800	151,200
Field artillery:			
7.7 cm. guns	204	1,000	204,000
10.5 cm. howitzers	84	800	67,200

SECTION II.

NAVAL CLAUSES.

ARTICLE 181.

After the expiration of a period of two months from the coming into force of the present Treaty the German naval forces in commission must not exceed:

6 battleships of the *Deutschland* or *Lothringen* type,
6 light cruisers,
12 destroyers,
12 torpedo boats,

or an equal number of ships constructed to replace them as provided in Article 190.

No submarines are to be included.

All other warships, except where there is provision to the contrary in the present Treaty, must be placed in reserve or devoted to commercial purposes.

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ARTICLE 182.

Until the completion of the minesweeping prescribed by Article 193 Germany will keep in commission such number of minesweeping vessels as may be fixed by the Governments of the Principal Allied and Associated Powers.

ARTICLE 183.

After the expiration of a period of two months from the coming into force of the present Treaty the total personnel of the German Navy, including the manning of the fleet, coast defences, signal stations, administration and other land services, must not exceed fifteen thousand, including officers and men of all grades and corps.

The total strength of officers and warrant officers must not exceed fifteen hundred.

Within two months from the coming into force of the present Treaty the personnel in excess of the above strength shall be demobilized.

No naval or military corps or reserve force in connection with the Navy may be organised in Germany without being included in the above strength.

ARTICLE 184.

From the date of the coming into force of the present Treaty all the German surface warships which are not in German ports cease to belong to Germany, who renounces all rights over them.

Vessels which, in compliance with the Armistice of November 11, 1918, are now interned in the ports of the Allied and Associated Powers are declared to be finally surrendered.

Vessels which are now interned in neutral ports will be there surrendered to the Governments of the Principal Allied and Associated Powers. The German Government must address a notification to that effect to the neutral Powers on the coming into force of the present Treaty.

ARTICLE 185.

Within a period of two months from the coming into force of the present Treaty the German surface warships enumerated below will be surrendered to the Governments of the Principal Allied and Associated Powers in such Allied ports as the said Powers may direct.

These warships will have been disarmed as provided in Article XXIII of the Armistice of November 11, 1918. Nevertheless they must have all their guns on board.

BATTLESHIPS.

Oldenburg.
Thuringen.
Ostfriesland.
Helgoland.
Posen.
Westfalen.
Rheinland.
Nassau.

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LIGHT CRUISERS.

Stettin.	*Stralsund.*
Danzig.	*Augsburg.*
München.	*Kolberg.*
Lübeck.	*Stuttgart.*

and, in addition, forty-two modern destroyers and fifty modern torpedo boats, as chosen by the Governments of the Principal Allied and Associated Powers.

ARTICLE 186.

On the coming into force of the present Treaty the German Government must undertake, under the supervision of the Governments of the Principal Allied and Associated Powers, the breaking-up of all the German surface warships now under construction.

ARTICLE 187.

The German auxiliary cruisers and fleet auxiliaries enumerated below will be disarmed and treated as merchant ships.

INTERNED IN NEUTRAL COUNTRIES.

Berlin.	*Seydlitz.*
Santa Fé.	*Yorck.*

IN GERMANY:

Ammon.	*Fürst Bülow.*
Answald.	*Gertrud.*
Bosnia.	*Kigoma.*
Cordoba.	*Rugia.*
Cassel.	*Santa Elena.*
Dania.	*Schleswig.*
Rio Negro.	*Möwe.*
Rio Pardo.	*Sierra Ventana.*
Santa Cruz.	*Chemnitz.*
Schwaben.	*Emil Georg von Strauss.*
Solingen.	*Habsburg.*
Steigerwald.	*Meteor.*
Franken.	*Waltraute.*
Gundomar.	*Scharnhorst.*

ARTICLE 188.

On the expiration of one month from the coming into force of the present Treaty all German submarines, submarine salvage vessels and docks for submarines, including the tubular dock, must have been handed over to the Governments of the Principal Allied and Associated Powers.

Such of these submarines, vessels and docks as are considered by the said Governments to be fit to proceed under their own power or

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to be towed shall be taken by the German Government into such Allied ports as have been indicated.

The remainder, and also those in course of construction, shall be broken up entirely by the German Government under the supervision of the said Governments. The breaking-up must be completed within three months at the most after the coming into force of the present Treaty.

ARTICLE 189.

Articles, machinery and material arising from the breaking-up of German warships of all kinds, whether surface vessels or submarines, may not be used except for purely industrial or commercial purposes.

They may not be sold or disposed of to foreign countries.

ARTICLE 190.

Germany is forbidden to construct or acquire any warships other than those intended to replace the units in commission provided for in Article 181 of the present Treaty.

The warships intended for replacement purposes as above shall not exceed the following displacement:

Armoured ships	10,000 tons,
Light cruisers	6,000 tons,
Destroyers	800 tons,
Torpedo boats	200 tons.

Except where a ship has been lost, units of the different classes shall only be replaced at the end of a period of twenty years in the case of battleships and cruisers, and fifteen years in the case of destroyers and torpedo boats, counting from the launching of the ship.

ARTICLE 191.

The construction or acquisition of any submarine, even for commercial purposes, shall be forbidden in Germany.

ARTICLE 192.

The warships in commission of the German fleet must have on board or in reserve only the allowance of arms, munitions and war material fixed by the Principal Allied and Associated Powers.

Within a month from the fixing of the quantities as above, arms, munitions and war material of all kinds, including mines and torpedoes, now in the hands of the German Government and in excess of the said quantities, shall be surrendered to the Governments of the said Powers at places to be indicated by them. Such arms, munitions and war material will be destroyed or rendered useless.

All other stocks, depots or reserves of arms, munitions or naval war material of all kinds are forbidden.

The manufacture of these articles in German territory for, and their export to, foreign countries shall be forbidden.

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ARTICLE 193.

On the coming into force of the present Treaty Germany will forthwith sweep up the mines in the following areas in the North Sea to the eastward of longitude 4° 00′ E. of Greenwich:

(1) Between parallels of latitude 53° 00′ N. and 59° 00′ N.; (2) To the northward of latitude 60° 30′ N.

Germany must keep these areas free from mines.

Germany must also sweep and keep free from mines such areas in the Baltic as may ultimately be notified by the Governments of the Principal Allied and Associated Powers.

ARTICLE 194.

The personnel of the German Navy shall be recruited entirely by voluntary engagements entered into for a minimum period of twenty-five consecutive years for officers and warrant officers; twelve consecutive years for petty officers and men.

The number engaged to replace those discharged for any reason before the expiration of their term of service must not exceed five per cent. per annum of the totals laid down in this Section (Article 183).

The personnel discharged from the Navy must not receive any kind of naval or military training or undertake any further service in the Navy or Army.

Officers belonging to the German Navy and not demobilised must engage to serve till the age of forty-five, unless discharged for sufficient reasons.

No officer or man of the German mercantile marine shall receive any training in the Navy.

ARTICLE 195.

In order to ensure free passage into the Baltic to all nations, Germany shall not erect any fortifications in the area comprised between latitudes 55° 27′ N. and 54° 00′ N. and longitudes 9° 00′ E. and 16° 00′ E. of the meridian of Greenwich, nor instal any guns commanding the maritime routes between the North Sea and the Baltic. The fortifications now existing in this area shall be demolished and the guns removed under the supervision of the Allied Governments and in periods to be fixed by them.

The German Government shall place at the disposal of the Governments of the Principal Allied and Associated Powers all hydrographical information now in its possession concerning the channels and adjoining waters between the Baltic and the North Sea.

ARTICLE 196.

All fortified works and fortifications, other than those mentioned in Section XIII (Heligoland) of Part III (Political Clauses for Europe) and in Article 195, now established within fifty kilometres of the German coast or on German islands off that coast shall

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be considered as of a defensive nature and may remain in their existing condition.

No new fortifications shall be constructed within these limits. The armament of these defences shall not exceed, as regards the number and calibre of guns, those in position at the date of the coming into force of the present Treaty. The German Government shall communicate forthwith particulars thereof to all the European Governments.

On the expiration of a period of two months from the coming into force of the present Treaty the stocks of ammunition for these guns shall be reduced to and maintained at a maximum figure of fifteen hundred rounds per piece for calibres of 4.1-inch and under, and five hundred rounds per piece for higher calibres.

ARTICLE 197.

During the three months following the coming into force of the present Treaty the German high-power wireless telegraphy stations at Nauen, Hanover and Berlin shall not be used for the transmission of messages concerning naval, military or political questions of interest to Germany or any State which has been allied to Germany in the war, without the assent of the Governments of the Principal Allied and Associated Powers. These stations may be used for commercial purposes, but only under the supervision of the said Governments, who will decide the wave-length to be used.

During the same period Germany shall not build any more high-power wireless telegraphy stations in her own territory or that of Austria, Hungary, Bulgaria or Turkey.

SECTION III.

AIR CLAUSES.

ARTICLE 198.

The armed forces of Germany must not include any military or naval air forces.

Germany may, during a period not extending beyond October 1, 1919, maintain a maximum number of one hundred seaplanes or flying boats, which shall be exclusively employed in searching for submarine mines, shall be furnished with the necessary equipment for this purpose, and shall in no case carry arms, munitions or bombs of any nature whatever.

In addition to the engines installed in the seaplanes or flying boats above mentioned, one spare engine may be provided for each engine of each of these craft.

No dirigible shall be kept.

ARTICLE 199.

Within two months from the coming into force of the present Treaty the personnel of air forces on the rolls of the German land

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and sea forces shall be demobilised. Up to October 1, 1919, however, Germany may keep and maintain a total number of one thousand men, including officers, for the whole of the cadres and personnel, flying and non-flying, of all formations and establishments.

ARTICLE 200.

Until the complete evacuation of German territory by the Allied and Associated troops, the aircraft of the Allied and Associated Powers shall enjoy in Germany freedom of passage through the air, freedom of transit and of landing.

ARTICLE 201.

During the six months following the coming into force of the present Treaty, the manufacture and importation of aircraft, parts of aircraft, engines for aircraft, and parts of engines for aircraft, shall be forbidden in all German territory.

ARTICLE 202.

On the coming into force of the present Treaty, all military and naval aeronautical material, except the machines mentioned in the second and third paragraphs of Article 198, must be delivered to the Governments of the Principal Allied and Associated Powers.

Delivery must be effected at such places as the said Governments may select, and must be completed within three months.

In particular, this material will include all items under the following heads which are or have been in use or were designed for warlike purposes:

Complete aeroplanes and seaplanes, as well as those being manufactured, repaired or assembled.

Dirigibles able to take the air, being manufactured, repaired or assembled.

Plant for the manufacture of hydrogen.

Dirigible sheds and shelters of every kind for aircraft.

Pending their delivery, dirigibles will, at the expense of Germany, be maintained inflated with hydrogen; the plant for the manufacture of hydrogen, as well as the sheds for dirigibles, may, at the discretion of the said Powers, be left to Germany until the time when the dirigibles are handed over.

Engines for aircraft.

Nacelles and fuselages.

Armament (guns, machine guns, light machine guns, bomb-dropping apparatus, torpedo-dropping apparatus, synchronization apparatus, aiming apparatus).

Munitions (cartridges, shells, bombs loaded or unloaded, stocks of explosives or of material for their manufacture).

Instruments for use on aircraft.

Wireless apparatus and photographic or cinematograph apparatus for use on aircraft.

Component parts of any of the items under the preceding heads.

The material referred to above shall not be removed without special permission from the said Governments.

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Section IV.

INTER-ALLIED COMMISSIONS OF CONTROL.

Article 203.

All the military, naval and air clauses contained in the present Treaty, for the execution of which a time-limit is prescribed, shall be executed by Germany under the control of Inter-Allied Commissions specially appointed for this purpose by the Principal Allied and Associated Powers.

Article 204.

The Inter-Allied Commissions of Control will be specially charged with the duty of seeing to the complete execution of the delivery, destruction, demolition and rendering things useless to be carried out at the expense of the German Government in accordance with the present Treaty.

They will communicate to the German authorities the decisions which the Principal Allied and Associated Powers have reserved the right to take, or which the execution of the military, naval and air clauses may necessitate.

Article 205.

The Inter-Allied Commissions of Control may establish their organisations at the seat of the central German Government.

They shall be entitled as often as they think desirable to proceed to any point whatever in German territory, or to send sub-commissions, or to authorize one or more of their members to go, to any such point.

Article 206.

The German Government must give all necessary facilities for the accomplishment of their missions to the Inter-Allied Commissions of Control and to their members.

It shall attach a qualified representative to each Inter-Allied Commission of Control for the purpose of receiving the communications which the Commission may have to address to the German Government and of supplying or procuring for the Commission all information or documents which may be required.

The German Government must in all cases furnish at its own cost all labour and material required to effect the deliveries and the works of destruction, dismantling, demolition, and of rendering things useless, provided for in the present Treaty.

Article 207.

The upkeep and cost of the Commissions of Control and the expenses involved by their work shall be borne by Germany.

Article 208.

The Military Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers

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in dealing with the German Government in all matters concerning the execution of the military clauses.

In particular it will be its duty to receive from the German Government the notifications relating to the location of the stocks and depots of munitions, the armament of the fortified works, fortresses and forts which Germany is allowed to retain, and the location of the works or factories for the production of arms, munitions and war material and their operations.

It will take delivery of the arms, munitions and war material, will select the points where such delivery is to be effected, and will supervise the works of destruction, demolition, and of rendering things useless, which are to be carried out in accordance with the present Treaty.

The German Government must furnish to the Military Inter-Allied Commission of Control all such information and documents as the latter may deem necessary to ensure the complete execution of the military clauses, and in particular all legislative and administrative documents and regulations.

ARTICLE 209.

The Naval Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the naval clauses.

In particular it will be its duty to proceed to the building yards and to supervise the breaking-up of the ships which are under construction there, to take delivery of all surface ships or submarines, salvage ships, docks and the tubular dock, and to supervise the destruction and breaking-up provided for.

The German Government must furnish to the Naval Inter-Allied Commission of Control all such information and documents as the Commission may deem necessary to ensure the complete execution of the naval clauses, in particular the designs of the warships, the composition of their armaments, the details and models of the guns, munitions, torpedoes, mines, explosives, wireless telegraphic apparatus and, in general, everything relating to naval war material, as well as all legislative or administrative documents or regulations.

ARTICLE 210.

The Aeronautical Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the air clauses.

In particular it will be its duty to make an inventory of the aeronautical material existing in German territory, to inspect aeroplane, balloon and motor manufactories, and factories producing arms, munitions and explosives capable of being used by aircraft, to visit all aerodromes, sheds, landing grounds, parks and depots, to authorise, where necessary, a removal of material and to take delivery of such material.

The German Government must furnish to the Aeronautical Inter-Allied Commission of Control all such information and legislative,

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administrative or other documents which the Commission may consider necessary to ensure the complete execution of the air clauses, and in particular a list of the personnel belonging to all the German Air Services, and of the existing material, as well as of that in process of manufacture or on order, and a list of all establishments working for aviation, of their positions, and of all sheds and landing grounds.

Section V.

GENERAL ARTICLES.

Article 211.

After the expiration of a period of three months from the coming into force of the present Treaty, the German laws must have been modified and shall be maintained by the German Government in conformity with this Part of the present Treaty.

Within the same period all the administrative or other measures relating to the execution of this Part of the Treaty must have been taken.

Article 212.

The following portions of the Armistice of November 11, 1918: Article VI, the first two and the sixth and seventh paragraphs of Article VII; Article IX; Clauses I, II and V of Annex nº 2, and the Protocol, dated April 4, 1919, supplementing the Armistice of November 11, 1918, remain in force so far as they are not inconsistent with the above stipulations.

Article 213.

So long as the present Treaty remains in force, Germany undertakes to give every facility for any investigation which the Council of the League of Nations, acting if need be by a majority vote, may consider necessary.

PART VI.

PRISONERS OF WAR AND GRAVES.

Section I.

PRISONERS OF WAR.

Article 214.

The repatriation of prisoners of war and interned civilians shall take place as soon as possible after the coming into force of the present Treaty and shall be carried out with the greatest rapidity.

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ARTICLE 215.

The repatriation of German prisoners of war and interned civilians shall, in accordance with Article 214, be carried out by a Commission composed of representatives of the Allied and Associated Powers on the one part and of the German Government on the other part.

For each of the Allied and Associated Powers a Sub-Commission, composed exclusively of Representatives of the interested Power and of Delegates of the German Government, shall regulate the details of carrying into effect the repatriation of the prisoners of war.

ARTICLE 216.

From the time of their delivery into the hands of the German authorities the prisoners of war and interned civilians are to be returned without delay to their homes by the said authorities.

Those amongst them who before the war were habitually resident in territory occupied by the troops of the Allied and Associated Powers are likewise to be sent to their homes, subject to the consent and control of the military authorities of the Allied and Associated armies of occupation.

ARTICLE 217.

The whole cost of repatriation from the moment of starting shall be borne by the German Government who shall also provide the land and sea transport and staff considered necessary by the Commission referred to in Article 215.

ARTICLE 218.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

This stipulation shall not apply to prisoners of war and interned civilians punished for offences committed subsequent to May 1, 1919.

During the period pending their repatriation all prisoners of war and interned civilians shall remain subject to the existing regulations, more especially as regards work and discipline.

ARTICLE 219.

Prisoners of war and interned civilians who are awaiting disposal or undergoing sentence for offences other than those against discipline may be detained.

ARTICLE 220.

The German Government undertakes to admit to its territory without distinction all persons liable to repatriation.

Prisoners of war or other German nationals who do not desire to be repatriated may be excluded from repatriation; but the Allied and Associated Governments reserve to themselves the right either

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to repatriate them or to take them to a neutral country or to allow them to reside in their own territories.

The German Government undertakes not to institute any exceptional proceedings against these persons or their families nor to take any repressive or vexatious measures of any kind whatsoever against them on this account.

ARTICLE 221.

The Allied and Associated Governments reserve the right to make the repatriation of German prisoners of war or German nationals in their hands conditional upon the immediate notification and release by the German Government of any prisoners of war who are nationals of the Allied and Associated Powers and may still be in Germany.

ARTICLE 222.

Germany undertakes:

(1) To give every facility to Commissions to enquire into the cases of those who cannot be traced; to furnish such Commissions with all necessary means of transport; to allow them access to camps, prisons, hospitals and all other places; and to place at their disposal all documents, whether public or private, which would facilitate their enquiries;

(2) To impose penalties upon any German officials or private persons who have concealed the presence of any nationals of any of the Allied and Associated Powers or have neglected to reveal the presence of any such after it had come to their knowledge.

ARTICLE 223.

Germany undertakes to restore without delay from the date of the coming into force of the present Treaty all articles, money, securities and documents which have belonged to nationals of the Allied and Associated Powers and which have been retained by the German authorities.

ARTICLE 224.

The High Contracting Parties waive reciprocally all repayment of sums due for the maintenance of prisoners of war in their respective territories.

SECTION II.

GRAVES.

ARTICLE 225.

The Allied and Associated Governments and the German Government will cause to be respected and maintained the graves of the soldiers and sailors buried in their respective territories.

They agree to recognise any Commission appointed by an Allied or Associated Government for the purpose of identifying, registering,

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caring for or erecting suitable memorials over the said graves and to facilitate the discharge of its duties.

Furthermore they agree to afford, so far as the provisions of their laws and the requirements of public health allow, every facility for giving effect to requests that the bodies of their soldiers and sailors may be transferred to their own country.

ARTICLE 226.

The graves of prisoners of war and interned civilians who are nationals of the different belligerent States and have died in captivity shall be properly maintained in accordance with Article 225 of the present Treaty.

The Allied and Associated Governments on the one part and the German Government on the other part reciprocally undertake also to furnish to each other:

(1) A complete list of those who have died together with all information useful for identification;

(2) All information as to the number and position of the graves of all those who have been buried without identification.

PART VIII.

REPARATION.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 231.

The Allied and Associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.

ARTICLE 232.

The Allied and Associated Governments recognize that the resources of Germany are not adequate, after taking into account permanent diminutions of such resources which will result from other provisions of the present Treaty, to make complete reparation for all such loss and damage.

The Allied and Associated Governments, however, require, and Germany undertakes, that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an Allied or Associated Power against Germany by such

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aggression by land, by sea and from the air, and in general all damage as defined in Annex I hereto.

In accordance with Germany's pledges, already given, as to complete restoration for Belgium, Germany undertakes, in addition to the compensation for damage elsewhere in this Part provided for, as a consequence of the violation of the Treaty of 1839, to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of five per cent. (5%) per annum on such sums. This amount shall be determined by the Reparation Commission, and the German Government undertakes thereupon forthwith to make a special issue of bearer bonds to an equivalent amount payable in marks gold, on May 1, 1926, or, at the option of the German Government, on the 1st of May in any year up to 1926. Subject to the foregoing, the form of such bonds shall be determined by the Reparation Commission. Such bonds shall be handed over to the Reparation Commission, which has authority to take and acknowledge receipt thereof on behalf of Belgium.

ARTICLE 233.

The amount of the above damage for which compensation is to be made by Germany shall be determined by an Inter-Allied Commission, to be called the *Reparation Commission* and constituted in the form and with the powers set forth hereunder and in Annexes II to VII inclusive hereto.

This Commission shall consider the claims and give to the German Government a just opportunity to be heard.

The findings of the Commission as to the amount of damage defined as above shall be concluded and notified to the German Government on or before May 1, 1921, as representing the extent of that Government's obligations.

The Commission shall concurrently draw up a schedule of payments prescribing the time and manner for securing and discharging the entire obligation within a period of thirty years from May 1, 1921. If, however, within the period mentioned, Germany fails to discharge her obligations, any balance remaining unpaid may, within the discretion of the Commission, be postponed for settlement in subsequent years, or may be handled otherwise in such manner as the Allied and Associated Governments, acting in accordance with the procedure laid down in this Part of the present Treaty, shall determine.

ARTICLE 234.

The Reparation Commission shall after May 1, 1921, from time to time, consider the resources and capacity of Germany, and, after giving her representatives a just opportunity to be heard, shall have discretion to extend the date, and to modify the form of payments, such as are to be provided for in accordance with Article 233; but not to cancel any part, except with the specific authority of the several Governments represented upon the Commission.

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ARTICLE 235.

In order to enable the Allied and Associated Powers to proceed at once to the restoration of their industrial and economic life, pending the full determination of their claims, Germany shall pay in such instalments and in such manner (whether in gold, commodities, ships, securities or otherwise) as the Reparation Commission may fix, during 1919, 1920 and the first four months of 1921, the equivalent of 20,000,000,000 gold marks. Out of this sum the expenses of the armies of occupation subsequent to the Armistice of November 11, 1918, shall first be met, and such supplies of food and raw materials as may be judged by the Governments of the Principal Allied and Associated Powers to be essential to enable Germany to meet her obligations for reparation may also, with the approval of the said Governments, be paid for out of the above sum. The balance shall be reckoned towards liquidation of the amounts due for reparation. Germany shall further deposit bonds as prescribed in paragraph 12 (*c*) of Annex II hereto.

ARTICLE 236.

Germany further agrees to the direct application of her economic resources to reparation as specified in Annexes, III, IV, V, and VI, relating respectively to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products; provided always that the value of the property transferred and any services rendered by her under these Annexes, assessed in the manner therein prescribed, shall be credited to her towards liquidation of her obligations under the above Articles.

ARTICLE 237.

The successive instalments, including the above sum, paid over by Germany in satisfaction of the above claims will be divided by the Allied and Associated Governments in proportions which have been determined upon by them in advance on a basis of general equity and of the rights of each.

For the purposes of this division the value of property transferred and services rendered under Article 243, and under Annexes III, IV, V, VI, and VII, shall be reckoned in the same manner as cash payments effected in that year.

ARTICLE 238.

In addition to the payments mentioned above Germany shall effect, in accordance with the procedure laid down by the Reparation Commission, restitution in cash of cash taken away, seized or sequestrated, and also restitution of animals, objects of every nature and securities taken away, seized or sequestrated, in the cases in which it proves possible to identify them in territory belonging to Germany or her allies.

Until this procedure is laid down, restitution will continue in accordance with the provisions of the Armistice of November 11, 1918, and its renewals and the Protocols thereto.

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ARTICLE 239.

The German Government undertakes to make forthwith the restitution contemplated by Article 238 and to make the payments and deliveries contemplated by Articles 233, 234, 235 and 236.

ARTICLE 240.

The German Government recognizes the Commission provided for by Article 233 as the same may be constituted by the Allied and Associated Governments in accordance with Annex II, and agrees irrevocably to the possession and exercise by such Commission of the power and authority given to it under the present Treaty.

The German Government will supply to the Commission all the information which the Commission may require relative to the financial situation and operations and to the property, productive capacity, and stocks and current production of raw materials and manufactured articles of Germany and her nationals, and further any information relative to military operations which in the judgment of the Commission may be necessary for the assessment of Germany's liability for reparation as defined in Annex I.

The German Government will accord to the members of the Commission and its authorised agents the same rights and immunities as are enjoyed in Germany by duly accredited diplomatic agents of friendly Powers.

Germany further agrees to provide for the salaries and expenses of the Commission and of such staff as it may employ.

ARTICLE 241.

Germany undertakes to pass, issue and maintain in force any legislation, orders and decrees that may be necessary to give complete effect to these provisions.

ARTICLE 242.

The provisions of this Part of the present Treaty do not apply to the property, rights and interests referred to in Sections III and IV of Part X (Economic Clauses) of the present Treaty, nor to the product of their liquidation, except so far as concerns any final balance in favour of Germany under Article 243 (*a*).

ARTICLE 243.

The following shall be reckoned as credits to Germany in respect of her reparation obligations:

(*a*) Any final balance in favour of Germany under Section V (Alsace-Lorraine) of Part III (Political Clauses for Europe) and Sections III and IV of Part X (Economic Clauses) of the present Treaty;

(*b*) Amounts due to Germany in respect of transfers under Section IV (Saar Basin) of Part III (Political Clauses for Europe), Part IX (Financial Clauses), and Part XII (Ports, Waterways and Railways);

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(*c*) Amounts which in the judgment of the Reparation Commission should be credited to Germany on account of any other transfers under the present Treaty of property, rights, concessions or other interests.

In no case however shall credit be given for property restored in accordance with Article 238 of the present Part.

ARTICLE 244.

The transfer of the German submarine cables which do not form the subject of particular provisions of the present Treaty is regulated by Annex VII hereto.

ANNEX I.

Compensation may be claimed from Germany under Article 232 above in respect of the total damage under the following categories:

(1) Damage to injured persons and to surviving dependents by personal injury to or death of civilians caused by acts of war, including bombardments or other attacks on land, on sea, or from the air, and all the direct consequences thereof, and of all operations of war by the two groups of belligerents wherever arising.

(2) Damage caused by Germany or her allies to civilian victims of acts of cruelty, violence or maltreatment (including injuries to life or health as a consequence of imprisonment, deportation, internment or evacuation, of exposure at sea or of being forced to labour), wherever arising, and to the surviving dependents of such victims.

(3) Damage caused by Germany or her allies in their own territory or in occupied or invaded territory to civilian victims of all acts injurious to health or capacity to work, or to honour, as well as to the surviving dependents of such victims.

(4) Damage caused by any kind of maltreatment of prisoners of war.

(5) As damage caused to the peoples of the Allied and Associated Powers, all pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated, wounded, sick or invalided, and to the dependents of such victims, the amount due to the Allied and Associated Governments being calculated for each of them as being the capitalised cost of such pensions and compensation at the date of the coming into force of the present Treaty on the basis of the scales in force in France at such date.

(6) The cost of assistance by the Governments of the Allied and Associated Powers to prisoners of war and to their families and dependents.

(7) Allowances by the Governments of the Allied and Associated Powers to the families and dependents of mobilised persons or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year.

(8) Damage caused to civilians by being forced by Germany or her allies to labour without just remuneration.

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(9) Damage in respect of all property wherever situated belonging to any of the Allied or Associated States or their nationals, with the exception of naval and military works or materials, which has been carried off, seized, injured or destroyed by the acts of Germany or her allies on land, on sea or from the air, or damage directly in consequence of hostilities or of any operations of war.

(10) Damage in the form of levies, fines and other similar exactions imposed by Germany or her allies upon the civilian population.

ANNEX II.

1.

The Commission referred to in Article 233 shall be called "The Reparation Commission" and is hereinafter referred to as "the Commission".

2.

Delegates to this Commission shall be nominated by the United States of America, Great Britain, France, Italy, Japan, Belgium and the Serb-Croat-Slovene State. Each of these Powers will appoint one Delegate and also one Assistant Delegate, who will take his place in case of illness or necessary absence, but at other times will only have the right to be present at proceedings without taking any part therein.

On no occasion shall the Delegates of more than five of the above Powers have the right to take part in the proceedings of the Commission and to record their votes. The Delegates of the United States, Great Britain, France and Italy shall have this right on all occasions. The Delegate of Belgium shall have this right on all occasions other than those referred to below. The Delegate of Japan shall have this right on occasions when questions relating to damage at sea, and questions arising under Article 260 of Part IX (Financial Clauses) in which Japanese interests are concerned, are under consideration. The Delegate of the Serb-Croat-Slovene State shall have this right when questions relating to Austria, Hungary or Bulgaria are under consideration.

Each Government represented on the Commission shall have the right to withdraw therefrom upon twelve months notice filed with the Commission and confirmed in the course of the sixth month after the date of the original notice.

3.

Such of the other Allied and Associated Powers as may be interested shall have the right to appoint a Delegate to be present and act as Assessor only while their respective claims and interests are under examination or discussion, but without the right to vote.

4.

In case of the death, resignation or recall of any Delegate, Assistant Delegate or Assessor, a successor to him shall be nominated as soon as possible.

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5.

The Commission will have its principal permanent Bureau in Paris and will hold its first meeting in Paris as soon as practicable after the coming into force of the present Treaty, and thereafter will meet in such place or places and at such time as it may deem convenient and as may be necessary for the most expeditious discharge of its duties.

6.

At its first meeting the Commission shall elect, from among the Delegates referred to above, a Chairman and a Vice-Chairman, who shall hold office for one year and shall be eligible for re-election. If a vacancy in the Chairmanship or Vice-Chairmanship should occur during the annual period, the Commission shall proceed to a new election for the remainder of the said period.

7.

The Commission is authorised to appoint all necessary officers, agents and employees who may be required for the execution of its functions, and to fix their remuneration; to constitute committees, whose members need not necessarily be members of the Commission, and to take all executive steps necessary for the purpose of discharging its duties; and to delegate authority and discretion to officers, agents and committees.

8.

All proceedings of the Commission shall be private, unless, on particular occasions, the Commission shall otherwise determine for special reasons.

9.

The Commission shall be required, if the German Government so desire, to hear, within a period which it will fix from time to time, evidence and arguments on the part of Germany on any question connected with her capacity to pay.

10.

The Commission shall consider the claims and give to the German Government a just opportunity to be heard, but not to take any part whatever in the decisions of the Commission. The Commission shall afford a similar opportunity to the allies of Germany, when it shall consider that their interests are in question.

11.

The Commission shall not be bound by any particular code or rules of law or by any particular rule of evidence or of procedure, but shall be guided by justice, equity and good faith. Its decisions must follow the same principles and rules in all cases where they are

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applicable. It will establish rules relating to methods of proof of claims. It may act on any trustworthy modes of computation.

12.

The Commission shall have all the powers conferred upon it, and shall exercise all the functions assigned to it, by the present Treaty.

The Commission shall in general have wide latitude as to its control and handling of the whole reparation problem as dealt with in this Part of the present Treaty and shall have authority to interpret its provisions. Subject to the provisions of the present Treaty, the Commission is constituted by the several Allied and Associated Governments referred to in paragraphs 2 and 3 above as the exclusive agency of the said Governments respectively for receiving, selling, holding, and distributing the reparation payments to be made by Germany under this Part of the present Treaty. The Commission must comply with the following conditions and provisions:

a) Whatever part of the full amount of the proved claims is not paid in gold, or in ships, securities and commodities or otherwise, Germany shall be required, under such conditions as the Commission may determine, to cover by way of guarantee by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgment of the said part of the debt.

(*b*) In periodically estimating Germany's capacity to pay, the Commission shall examine the German system of taxation, first, to the end that the sums for reparation which Germany is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and secondly, so as to satisfy itself that, in general, the German scheme of taxation is fully as heavy proportionately as that of any of the Powers represented on the Commission.

(*c*) In order to facilitate and continue the immediate restoration of the economic life of the Allied and Associated countries, the Commission will as provided in Article 235 take from Germany by way of security for and acknowledgment of her debt a first instalment of gold bearer bonds free of all taxes and charges of every description established or to be established by the Government of the German Empire or of the German States, or by any authority subject to them; these bonds will be delivered on account and in three portions, the marks gold being payable in conformity with Article 262 of Part IX (Financial Clauses) of the present Treaty as follows:

(1) To be issued forthwith, 20,000,000,000 Marks gold bearer bonds, payable not later than May 1, 1921, without interest. There shall be specially applied towards the amortisation of these bonds the payments which Germany is pledged to make in conformity with Article 235, after deduction of the sums used for the reimbursement of expenses of the armies of occupation and for payment of foodstuffs and raw materials. Such bonds as have not been redeemed by May 1, 1921, shall then be exchanged or new bonds of the same type as those provided for below (paragraph 12, *c*, (2).

(2) To be issued forthwith, further 40,000,000,000 Marks gold bearer bonds, bearing interest at 2½ per cent. per annum between 1921 and 1926, and thereafter at 5 per cent. per annum with an addi-

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tional 1 per cent. for amortisation beginning in 1926 on the whole amount of the issue.

(3) To be delivered forthwith a covering undertaking in writing to issue when, but not until, the Commission is satisfied that Germany can meet such interest and sinking fund obligations, a further instalment of 40,000,000,000 Marks gold 5 per cent. bearer bonds, the time and mode of payment of principal and interest to be determined by the Commission.

The dates for payment of interest, the manner of applying the amortisation fund, and all other questions relating to the issue, management and regulation of the bond issue shall be determined by the Commission from time to time.

Further issues by way of acknowledgment and security may be required as the Commission subsequently determines from time to time.

(*d*) In the event of bonds, obligations or other evidence of indebtedness issued by Germany by way of security for or acknowledgment of her reparation debt being disposed of outright, not by way of pledge, to persons other than the several Governments in whose favour Germany's original reparation indebtedness was created, an amount of such reparation indebtedness shall be deemed to be extinguished corresponding to the nominal value of the bonds, etc., so disposed of outright, and the obligation of Germany in respect of such bonds shall be confined to her liabilities to the holders of the bonds, as expressed upon their face.

(*e*) The damage for repairing, reconstructing and rebuilding property in the invaded and devastated districts, including reinstallation of furniture, machinery and other equipment, will be calculated according to the cost at the dates when the work is done.

(*f*) Decisions of the Commission relating to the total or partial cancellation of the capital or interest of any verified debt of Germany must be accompanied by a statement of its reasons.

13.

As to voting, the Commission will observe the following rules:

When a decision of the Commission is taken, the votes of all the Delegates entitled to vote, or in the absence of any of them, of their Assistant Delegates, shall be recorded. Abstention from voting is to be treated as a vote against the proposal under discussion. Assessors have no vote.

On the following questions unanimity is necessary:

(*a*) Questions involving the sovereignty of any of the Allied and Associated Powers, or the cancellation of the whole or any part of the debt or obligations of Germany;

(*b*) Questions of determining the amount and conditions of bonds or other obligations to be issued by the German Government and of fixing the time and manner for selling, negotiating or distributing such bonds;

(*c*) Any postponement, total or partial, beyond the end of 1930, of the payment of instalments falling due between May 1, 1921, and the end of 1926 inclusive;

(*d*) Any postponement, total or partial, of any instalment falling due after 1926 for a period exceeding three years;

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(e) Questions of applying in any particular case a method of measuring damages different from that which has been previously applied in a similar case;

(f) Questions of the interpretation of the provisions of this Part of the present Treaty.

All other questions shall be decided by the vote of a majority.

In case of any difference of opinion among the Delegates, which cannot be solved by reference to their Governments, upon the question whether a given case is one which requires a unanimous vote for its decision or not, such difference shall be referred to the immediate arbitration of some impartial person to be agreed upon by their Governments, whose award the Allied and Associated Governments agree to accept.

14.

Decisions of the Commission, in accordance with the powers conferred upon it, shall forthwith become binding and may be put into immediate execution without further proceedings.

15.

The Commission will issue to each of the interested Powers, in such form as the Commission shall fix:

(1) A certificate stating that it holds for the account of the said Power bonds of the issues mentioned above, the said certificate, on the demand of the Power concerned, being divisible in a number of parts not exceeding five;

(2) From time to time certificates stating the goods delivered by Germany on account of her reparation debt which it holds for the account of the said Power.

The said certificates shall be registered, and upon notice to the Commission, may be transferred by endorsement.

When bonds are issued for sale or negotiation, and when goods are delivered by the Commission, certificates to an equivalent value must be withdrawn.

16.

Interest shall be debited to Germany as from May 1, 1921, in respect of her debt as determined by the Commission, after allowing for sums already covered by cash payments or their equivalent, or by bonds issued to the Commission, or under Article 243. The rate of interest shall be 5 per cent. unless the Commission shall determine at some future time that circumstances justify a variation of this rate.

The Commission, in fixing on May 1, 1921, the total amount of the debt of Germany, may take account of interest due on sums arising out of the reparation of material damage as from November 11, 1918, up to May 1, 1921.

17.

In case of default by Germany in the performance of any obligation under this Part of the present Treaty, the Commission will forthwith give notice of such default to each of the interested Powers

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and may make such recommendations as to the action to be taken in consequence of such default as it may think necessary.

18.

The measures which the Allied and Associated Powers shall have the right to take, in case of voluntary default by Germany, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances.

19.

Payments required to be made in gold or its equivalent on account of the proved claims of the Allied and Associated Powers may at any time be accepted by the Commission in the form of chattels, properties, commodities, businesses, rights, concessions, within or without German territory, ships, bonds, shares or securities of any kind, or currencies of Germany or other States, the value of such substitutes for gold being fixed at a fair and just amount by the Commission itself.

20.

The Commission, in fixing or accepting payment in specified properties or rights, shall have due regard for any legal or equitable interests of the Allied and Associated Powers or of neutral Powers or of their nationals therein.

21.

No member of the Commission shall be responsible, except to the Government appointing him, for any action or omission as such member. No one of the Allied or Associated Governments assumes any responsibility in respect of any other Government.

22.

Subject to the provisions of the present Treaty this Annex may be amended by the unanimous decision of the Governments represented from time to time upon the Commission.

23.

When all the amounts due from Germany and her allies under the present Treaty or the decisions of the Commission have been discharged and all sums received, or their equivalents, shall have been distributed to the Powers interested, the Commission shall be dissolved.

ANNEX III.

1.

Germany recognises the right of the Allied and Associated Powers to the replacement, ton for ton (gross tonnage) and class for class,

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of all merchant ships and fishing boats lost or damaged owing to the war.

Nevertheless, and in spite of the fact that the tonnage of German shipping at present in existence is much less than that lost by the Allied and Associated Powers in consequence of the German aggression, the right thus recognised will be enforced on German ships and boats under the following conditions:

The German Government, on behalf of themselves and so as to bind all other persons interested, cede to the Allied and Associated Governments the property in all the German merchant ships which are of 1,600 tons gross and upwards; in one-half, reckoned in tonnage, of the ships which are between 1,000 tons and 1,600 tons gross; in one-quarter, reckoned in tonnage, of the steam trawlers; and in one-quarter, reckoned in tonnage, of the other fishing boats.

2.

The German Government will, within two months of the coming into force of the present Treaty, deliver to the Reparation Commission all the ships and boats mentioned in paragraph 1.

3.

The ships and boats mentioned in paragraph 1 include all ships and boats which (*a*) fly, or may be entitled to fly, the German merchant flag; or (*b*) are owned by any German national, company or corporation or by any company or corporation belonging to a country other than an Allied or Associated country and under the control or direction of German nationals; or (*c*) are now under construction (1) in Germany, (2) in other than Allied or Associated countries for the account of any German national, company or corporation.

4.

For the purpose of providing documents of title for the ships and boats to be handed over as above mentioned, the German Government will:

(*a*) Deliver to the Reparation Commission in respect of each vessel a bill of sale or other document of title evidencing the transfer to the Commission of the entire property in the vessel, free from all encumbrances, charges and liens of all kinds, as the Commission may require;

(*b*) Take all measures that may be indicated by the Reparation Commission for ensuring that the ships themselves shall be placed at its disposal.

5.

As an additional part of reparation, Germany agrees to cause merchant ships to be built in German yards for the account of the Allied and Associated Governments as follows:

(*a*) Within three months of the coming into force of the present Treaty, the Reparation Commission will notify to the German Government the amount of tonnage to be laid down in German ship-

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yards in each of the two years next succeeding the three months mentioned above.

(*b*) Within two years of the coming into force of the present Treaty, the Reparation Commission will notify to the German Government the amount of tonnage to be laid down in each of the three years following the two years mentioned above.

(*c*) The amount of tonnage to be laid down in each year shall not exceed 200,000 tons, gross tonnage.

(*d*) The specifications of the ships to be built, the conditions under which they are to be built and delivered, the price per ton at which they are to be accounted for by the Reparation Commission, and all other questions relating to the accounting, ordering, building and delivery of the ships, shall be determined by the Commission.

Germany undertakes to restore in kind and in normal condition of upkeep to the Allied and Associated Powers, within two months of the coming into force of the present Treaty, in accordance with procedure to be laid down by the Reparation Commission, any boats and other movable appliances belonging to inland navigation which since August 1, 1914, have by any means whatever come into her possession or into the possession of her nationals, and which can be identified.

With a view to make good the loss in inland navigation tonnage, from whatever cause arising, which has been incurred during the war by the Allied and Associated Powers, and which cannot be made good by means of the restitution prescribed above, Germany agrees to cede to the Reparation Commission a portion of the German river fleet up to the amount of the loss mentioned above, provided that such cession shall not exceed 20 per cent. of the river fleet as it existed on November 11, 1918.

The conditions of this cession shall be settled by the arbitrators referred to in Article 339 of Part XII (Ports, Waterways and Railways) of the present Treaty, who are charged with the settlement of difficulties relating to the apportionment of river tonnage resulting from the new international régime applicable to certain river systems or from the territorial changes affecting those systems.

7.

Germany agrees to take any measures that may be indicated to her by the Reparation Commission for obtaining the full title to the property in all ships which have during the war been transferred, or are in process of transfer, to neutral flags, without the consent of the Allied and Associated Governments.

8.

Germany waives all claims of any description against the Allied and Associated Governments and their nationals in respect of the detention, employment, loss or damage of any German ships or boats, exception being made of payments due in respect of the employment of ships in conformity with the Armistice Agreement of January 13, 1919, and subsequent Agreements.

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The handing over of the ships of the German mercantile marine must be continued without interruption in accordance with the said Agreement.

9.

Germany waives all claims to vessels or cargoes sunk by or in consequence of naval action and subsequently salved, in which any of the Allied or Associated Governments or their nationals may have any interest either as owners, charterers, insurers or otherwise, notwithstanding any decree of condemnation which may have been made by a Prize Court of Germany or of her allies.

ANNEX IV.

1.

The Allied and Associated Powers require, and Germany undertakes, that in part satisfaction of her obligations expressed in the present Part she will, as hereinafter provided, devote her economic resources directly to the physical restoration of the invaded areas of the Allied and Associated Powers, to the extent that these Powers may determine.

2.

The Allied and Associated Governments may file with the Reparation Commission lists showing:

(*a*) Animals, machinery, equipment, tools and like articles of a commercial character, which have been seized, consumed or destroyed by Germany or destroyed in direct consequence of military operations, and which such Governments, for the purpose of meeting immediate and urgent needs, desire to have replaced by animals and articles of the same nature which are in being in German territory at the date of the coming into force of the present Treaty;

(*b*) Reconstruction materials (stones, bricks, refractory bricks, tiles, wood, window-glass, steel, lime, cement, etc.), machinery, heating apparatus, furniture and like articles of a commercial character which the said Governments desire to have produced and manufactured in Germany and delivered to them to permit of the restoration of the invaded areas.

3.

The lists relating to the articles mentioned in 2 (*a*) above shall be filed within sixty days after the date of the coming into force of the present Treaty.

The lists relating to the articles in 2 (*b*) above shall be filed on or before December 31, 1919.

The lists shall contain all such details as are customary in commercial contracts dealing with the subject matter, including specifications, dates of delivery (but not extending over more than four years), and places of delivery, but not price or value, which shall be fixed as hereinafter provided by the Commission.

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4.

Immediately upon the filing of such lists with the Commission, the Commission shall consider the amount and number of the materials and animals mentioned in the lists provided for above which are to be required of Germany. In reaching a decision on this matter the Commission shall take into account such domestic requirements of Germany as it deems essential for the maintenance of Germany's social and economic life, the prices and dates at which similar articles can be obtained in the Allied and Associated countries as compared with those to be fixed for German articles, and the general interest of the Allied and Associated Governments that the industrial life of Germany be not so disorganised as to affect adversely the ability of Germany to perform the other acts of reparation stipulated for.

Machinery, equipment, tools and like articles of a commercial character in actual industrial use are not, however, to be demanded of Germany unless there is no free stock of such articles respectively which is not in use and is available, and then not in excess of thirty per cent. of the quantity of such articles in use in any one establishment or undertaking.

The Commission shall give representatives of the German Government and opportunty and a time to be heard as to their capacity to furnish the said materials, articles and animals.

The decision of the Commission shall thereupon and at the earliest possible moment be communicated to the German Government and to the several interested Allied and Associated Governments.

The German Government undertakes to deliver the materials, articles and animals as specified in the said communication, and the interested Allied and Associated Governments severally agree to accept the same, provided they conform to the specification given, or are not, in the judgment of the Commission, unfit to be utilized in the work of reparation.

5.

The Commission shall determine the value to be attributed to the materials, articles and animals to be delivered in accordance with the foregoing, and the Allied or Associated Power receiving the same agrees to be charged with such value, and the amount thereof shall be treated as a payment by Germany to be divided in accordance with Article 237 of this Part of the present Treaty.

In cases where the right to require physical restoration as above provided is exercised, the Commission shall ensure that the amount to be credited against the reparation obligation of Germany shall be the fair value of work done or materials supplied by Germany, and that the claim made by the interested Power in respect of the damage so repaired by physical restoration shall be discharged to the extent of the proportion which the damage thus repaired bears to the whole of the damage thus claimed for.

6.

As an immediate advance on account of the animals referred to in paragraph 2 (*a*) above, Germany undertakes to deliver in equal

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monthly instalments in the three months following the coming into force of the present Treaty the following quantities of live stock:

(1) *To the French Government.*

500 stallions (3 to 7 years);
30,000 fillies and mares (18 months to 7 years), type: Ardennais, Boulonnais or Belgian;
2,000 bulls (18 months to 3 years);
90,000 milch cows (2 to 6 years);
1,000 rams;
100,000 sheep;
10,000 goats.

(2) *To the Belgian Government.*

200 stallions (3 to 7 years), large Belgian type;
5,000 mares (3 to 7 years), large Belgian type;
5,000 fillies (18 months to 3 years), large Belgian type;
2,000 bulls (18 months to 3 years);
50,000 milch cows (2 to 6 years);
40,000 heifers;
200 rams;
20,000 sheep;
15,000 sows.

The animals delivered shall be of average health and condition.

To the extent that animals so delivered cannot be identified as animals taken away or seized, the value of such animals shall be credited against the reparation obligations of Germany in accordance with paragraph 5 of this Annex.

7.

Without waiting for the decisions of the Commission referred to in paragraph 4 of this Annex to be taken, Germany must continue the delivery to France of the agricultural material referred to in Article III of the renewal dated January 16, 1919, of the Armistice.

ANNEX V.

1.

Germany accords the following options for the delivery of coal and derivatives of coal to the undermentioned signatories of the present Treaty.

2.

Germany undertakes to deliver to France seven million tons of coal per year for ten years. In addition, Germany undertakes to deliver to France annually for a period not exceeding ten years an amount of coal equal to the difference between the annual production before the war of the coal mines of the Nord and Pas de Calais, destroyed as

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a result of the war, and the production of the mines of the same area during the years in question: such delivery not to exceed twenty million tons in any one year of the first five years, and eight million tons in any one year of the succeeding five years.

It is understood that due diligence will be exercised in the restoration of the destroyed mines in the Nord and the Pas de Calais.

3.

Germany undertakes to deliver to Belgium eight million tons of coal annually for ten years.

4.

Germany undertakes to deliver to Italy up to the following quantities of coal:

July 1919 to June 1920			4½	million tons,
— 1920	—	1921	6	—
— 1921	—	1922	7½	—
— 1922	—	1923	8	—
— 1923	—	1924	8½	—
and each of the following five years				

At least two-thirds of the actual deliveries to be land-borne.

5.

Germany further undertakes to deliver annually to Luxemburg, if directed by the Reparation Commission, a quantity of coal equal to the pre-war annual consumption of German coal in Luxemburg.

6.

The prices to be paid for coal delivered under these options shall be as follows:

(*a*) For overland delivery, including delivery by barge, the German pithead price to German nationals, plus the freight to French, Belgian, Italian or Luxemburg frontiers, provided that the pithead price does not exceed the pithead price of British coal for export. In the case of Belgian bunker coal, the price shall not exceed the Dutch bunker price.

Railroad and barge tariffs shall not be higher than the lowest similar rates paid in Germany.

(*b*) For sea delivery, the German export price f. o. b. German ports, or the British export price f. o. b. British ports, whichever may be lower.

7.

The Allied and Associated Governments interested may demand the delivery, in place of coal, of metallurgical coke in the proportion of 3 tons of coke to 4 tons of coal.

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8.

Germany undertakes to deliver to France, and to transport to the French frontier by rail or by water, the following products, during each of the three years following the coming into force of this Treaty:

Benzol	35,000 tons.
Coal tar	50,000 tons.
Sulphate of ammonia	30,000 tons.

All or part of the coal tar may, at the option of the French Government, be replaced by corresponding quantities of products of distillation, such as light oils, heavy oils, anthracene, napthalene or pitch.

9.

The price paid for coke and for the articles referred to in the preceding paragraph shall be the same as the price paid by German nationals under the same conditions of shipment to the French frontier or to the German ports, and shall be subject to any advantages which may be accorded similar products furnished to German nationals.

10.

The foregoing options shall be exercised through the intervention of the Reparation Commission, which, subject to the specific provisions hereof, shall have power to determine all questions relative to procedure and the qualities and quantities of products, the quantity of coke which may be substituted for coal, and the times and modes of delivery and payment. In giving notice to the German Government of the foregoing options the Commission shall give at least 120 days' notice of deliveries to be made after January 1, 1920, and at least 30 days' notice of deliveries to be made between the coming into force of this Treaty and January 1, 1920. Until Germany has received the demands referred to in this paragraph, the provisions of the Protocol of December 25, 1918, (Execution of Article VI of the Armistice of November 11, 1918) remain in force. The notice to be given to the German Government of the exercise of the right of substitution accorded by paragraphs 7 and 8 shall be such as the Reparation Commission may consider sufficient. If the Commission shall determine that the full exercise of the foregoing options would interfere unduly with the industrial requirements of Germany, the Commission is authorised to postpone or to cancel deliveries, and in so doing to settle all questions of priority; but the coal to replace coal from destroyed mines shall receive priority over other deliveries.

ANNEX VI.

1.

Germany accords to the Reparation Commission an option to require as part of reparation the delivery by Germany of such quantities and kinds of dyestuffs and chemical drugs as the Commission

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may designate, not exceeding 50 per cent. of the total stock of each and every kind of dyestuff and chemical drug in Germany or under German control at the date of the coming into force of the present Treaty.

This option shall be exercised within sixty days of the receipt by the Commission of such particulars as to stocks as may be considered necessary by the Commission.

2.

Germany further accords to the Reparation Commission an option to require delivery during the period from the date of the coming into force of the present Treaty until January 1, 1920, and during each period of six months thereafter until January 1, 1925, of any specified kind of dyestuff and chemical drug up to an amount not exceeding 25 per cent. of the German production of such dyestuffs and chemical drugs during the previous six months period. If in any case the production during such previous six months was, in the opinion of the Commission, less than normal, the amount required may be 25 per cent. of the normal production.

Such option shall be exercised within four weeks after the receipt of such particulars as to production and in such form as may be considered necessary by the Commission; these particulars shall be furnished by the German Government immediately after the expiration of each six months period.

3.

For dyestuffs and chemical drugs delivered under paragraph 1, the price shall be fixed by the Commission having regard to pre-war net export prices and to subsequent increases of cost.

For dyestuffs and chemical drugs delivered under paragraph 2, the price shall be fixed by the Commission having regard to pre-war net export prices and subsequent variations of cost, or the lowest net selling price of similar dyestuffs and chemical drugs to any other purchaser.

4.

All details, including mode and times of exercising the options, and making delivery, and all other questions arising under this arrangement shall be determined by the Reparation Commission; the German Government will furnish to the Commission all necessary information and other assistance which it may require.

5.

The above expression "dyestuffs and chemical drugs" includes all synthetic dyes and drugs and intermediate or other products used in connection with dyeing, so far as they are manufactured for sale. The present arrangement shall also apply to cinchona bark and salts of quinine.

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ANNEX VII.

Germany renounces on her own behalf and on behalf of her nationals in favour of the Principal Allied and Associated Powers all rights, titles or privileges of whatever nature in the submarine cables set out below, or in any portions thereof:

Emden-Vigo: from the Straits of Dover to off Vigo;
Emden-Brest: from off Cherbourg to Brest;
Emden-Teneriffe: from off Dunkirk to off Teneriffe;
Emden-Azores (1): from the Straits of Dover to Fayal;
Emden-Azores (2): from the Straits of Dover to Fayal;
Azores-New-York (1): from Fayal to New York;
Azores-New York (2): from Fayal to the longitude of Halifax;
Teneriffe-Monrovia: from off Teneriffe to off Monrovia;
Monrovia-Lome:

from about	lat.	2° 30′ N.;
	long.	7° 40′ W. of Greenwich;
to about	lat.	2° 20′ N.;
	long.	5° 30′ W. of Greenwich;
and from about	lat.	3° 48′ N.;
	long.	0° 00′,

to Lome;
Lome-Duala: from Lome to Duala;
Monrovia-Pernambuco: from off Monrovia to off Pernambuco;
Constantinople-Constanza: from Constantinople to Constanza;
Yap-Shanghai, Yap-Guam, and Yap-Menado (Celebes): from Yap Island to Shanghai, from Yap Island to Guam Island, and from Yap Island to Menado.

The value of the above mentioned cables or portions thereof in so far as they are privately owned, calculated on the basis of the original cost less a suitable allowance for depreciation, shall be credited to Germany in the reparation account.

Section II.

SPECIAL PROVISIONS.

Article 245.

Within six months after the coming into force of the present Treaty the German Government must restore to the French Government the trophies, archives, historical souvenirs or works of art carried away from France by the German authorities in the course of the war of 1870–1871 and during this last war, in accordance with a list which will be communicated to it by the French Government; particularly the French flags taken in the course of the war of 1870–1871 and all the political papers taken by the German authorities on October 10, 1870, at the chateau of Cerçay, near Brunoy (Seine-et-Oise) belonging at the time to Mr. Rouher, formerly Minister of State.

Article 246.

Within six months from the coming into force of the present Treaty, Germany will restore to His Majesty the King of the Hedjaz

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the original Koran of the Caliph Othman, which was removed from Medina by the Turkish authorities and is stated to have been presented to the ex-Emperor William II.

Within the same period Germany will hand over to His Britannic Majesty's Government the skull of the Sultan Mkwawa which was removed from the Protectorate of German East Africa and taken to Germany.

The delivery of the articles above referred to will be effected in such place and in such conditions as may be laid down by the Governments to which they are to be restored.

ARTICLE 247.

Germany undertakes to furnish to the University of Louvain, within three months after a request made by it and transmitted through the intervention of the Reparation Commission, manuscripts, incunabula, printed books, maps and objects of collection corresponding in number and value to those destroyed in the burning by Germany of the Library of Louvain. All details regarding such replacement will be determined by the Reparation Commission.

Germany undertakes to deliver to Belgium, through the Reparation Commission, within six months of the coming into force of the present Treaty, in order to enable Belgium to reconstitute two great artistic works:

(1) The leaves of the triptych of the Mystic Lamb painted by the Van Eyck brothers, formerly in the Church of St. Bavon at Ghent, now in the Berlin Museum;

(2) The leaves of the triptych of the Last Supper, painted by Dierick Bouts, formerly in the Church of St. Peter at Louvain, two of which are now in the Berlin Museum and two in the Old Pinakothek at Munich.

PART IX.

FINANCIAL CLAUSES.

ARTICLE 248.

Subject to such exceptions as the Reparation Commission may approve, a first charge upon all the assets and revenues of the German Empire and its constituent States shall be the cost of reparation and all other costs arising under the present Treaty or any treaties or agreements supplemntary thereto or under arrangements concluded between Germany and the Allied and Associated Powers during the Armistice or its extensions.

Up to May 1, 1921, the German Government shall not export or dispose of, and shall forbid the export or disposal of, gold without the previous approval of the Allied and Associated Powers acting through the Reparation Commission.

ARTICLE 249.

There shall be paid by the German Government the total cost of all armies of the Allied and Associated Governments in occupied

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German territory from the date of the signature of the Armistice of November 11, 1918, including the keep of men and beasts, lodging and billeting, pay and allowances, salaries and wages, bedding, heating, lighting, clothing, equipment, harness and saddlery, armament and rolling-stock, air services, treatment of sick and wounded, veterinary and remount services, transport service of all sorts (such as by rail, sea or river, motor lorries), communications and correspondence, and in general the cost of all administrative or technical services the working of which is necessary for the training of troops and for keeping their numbers up to strength and preserving their military efficiency.

The cost of such liabilities under the above heads so far as they relate to purchases or requisitions by the Allied and Associated Governments in the occupied territories shall be paid by the German Government to the Allied and Associated Governments in marks at the current or agreed rate of exchange. All other of the above costs shall be paid in gold marks.

ARTICLE 250.

Germany confirms the surrender of all material handed over to the Allied and Associated Powers in accordance with the Armistice of November 11, 1918, and subsequent Armistice Agreements, and recognises the title of the Allied and Associated Powers to such material.

There shall be credited to the German Government, against the sums due from it to the Allied and Associated Powers for reparation, the value, as assessed by the Reparation Commission, referred to in Article 233 of Part VIII (Reparation) of the present Treaty, of the material handed over in accordance with Article VII of the Armistice of November 11, 1918, or Article III of the Armistice Agreement of January 16, 1919, as well as of any other material handed over in accordance with the Armistice of November 11, 1918, and of subsequent Armistice Agreements, for which, as having non-military value, credit should in the judgment of the Reparation Commission be allowed to the German Government.

Property belonging to the Allied and Associated Governments or their nationals restored or surrendered under the Armistice Agreements in specie shall not be credited to the German Government.

ARTICLE 251.

The priority of the charges established by Article 248 shall, subject to the qualifications made below, be as follows:

(*a*) The cost of the armies of occupation as defined under Article 249 during the Armistice and its extensions;

(b) The cost of any armies of occupation as defined under Article 249 after the coming into force of the present Treaty;

(*c*) The cost of reparation arising out of the present Treaty or any treaties or conventions supplementary thereto;

(*d*) The cost of all other obligations incumbent on Germany under the Armistice Conventions or under this Treaty or any treaties or conventions supplementary thereto.

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The payment for such supplies of food and raw material for Germany and such other payments as may be judged by the Allied and Associated Powers to be essential to enable Germany to meet her obligations in respect of reparation will have priority to the extent and upon the conditions which have been or may be determined by the Governments of the said Powers.

ARTICLE 252.

The right of each of the Allied and Associated Powers to dispose of enemy assets and property within its jurisdiction at the date of the coming into force of the present Treaty is not affected by the foregoing provisions.

ARTICLE 253.

Nothing in the foregoing provisions shall prejudice in any manner charges or mortgages lawfully effected in favour of the Allied or Associated Powers or their nationals respectively, before the date at which a state of war existed between Germany and the Allied or Associated Power concerned, by the German Empire or its constituent States, or by German nationals, on assets in their ownership at that date.

ARTICLE 254.

The Powers to which German territory is ceded shall, subject to the qualifications made in Article 255, undertake to pay:

(1) A portion of the debt of the German Empire as it stood on August 1, 1914, calculated on the basis of the ratio between the average for the three financial years 1911, 1912, 1913, of such revenues of the ceded territory, and the average for the same years of such revenues of the whole German Empire as in the judgment of the Reparation Commission are best calculated to represent the relative ability of the respective territories to make payment;

(2) A portion of the debt as it stood on August 1, 1914, of the German State to which the ceded territory belonged, to be determined in accordance with the principle stated above.

Such portions shall be determined by the Reparation Commission.

The method of discharging the obligation, both in respect of capital and of interest, so assumed shall be fixed by the Reparation Commission. Such method may take the form, *inter alia*, of the assumption by the Power to which the territory is ceded of Germany's liability for the German debt held by her nationals. But in the event of the method adopted involving any payments to the German Government, such payments shall be transferred to the Reparation Commission on account of the sums due for reparation so long as any balance in respect of such sums remains unpaid.

ARTICLE 255.

(1) As an exception to the above provision and inasmuch as in 1871 Germany refused to undertake any portion of the burden of the French debt, France shall be, in respect of Alsace-Lorraine, exempt from any payment under Article 254.

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(2) In the case of Poland that portion of the debt which, in the opinion of the Reparation Commission, is attributable to the measures taken by the German and Prussian Governments for the German colonisation of Poland shall be excluded from the apportionment to be made under Article 254.

(3) In the case of all ceded territories other than Alsace-Lorraine, that portion of the debt of the German Empire or German States which, in the opinion of the Reparation Commission, represents expenditure by the Governments of the German Empire or States upon the Government properties referred to in Article 256 shall be excluded from the apportionment to be made under Article 254.

ARTICLE 256.

Powers to which German territory is ceded shall acquire all property and possessions situated therein belonging to the German Empire or to the German States, and the value of such acquisitions shall be fixed by the Reparation Commission, and paid by the State acquiring the territory to the Reparation Commission for the credit of the German Government on account of the sums due for reparation.

For the purposes of this Article the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

In view of the terms on which Alsace-Lorraine was ceded to Germany in 1871, France shall be exempt in respect thereof from making any payment or credit under this Article for any property or possessions of the German Empire or States situated therein.

Belgium also shall be exempt from making any payment or any credit under this Article for any property or possessions of the German Empire or States situated in German territory ceded to Belgium under the present Treaty.

ARTICLE 257.

In the case of the former German territories, including colonies, protectorates or dependencies, administered by a Mandatory under Article 22 of Part I (League of Nations) of the present Treaty, neither the territory nor the Mandatory Power shall be charged with any portion of the debt of the German Empire or States.

All property and possessions belonging to the German Empire or to the German States situated in such territories shall be transferred with the territories to the Mandatory Power in its capacity as such and no payment shall be made nor any credit given to those Governments in consideration of this transfer.

For the purposes of this Article the property and possessions of the German Empire and of the German States shall be deemed to include all the property of the Crown, the Empire or the States and the private property of the former German Emperor and other Royal personages.

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ARTICLE 258.

Germany renounces all rights accorded to her or her nationals by treaties, conventions or agreements, of whatsoever kind, to representation upon or participation in the control or administration of commissions, state banks, agencies or other financial or economic organisations of an international character, exercising powers of control or administration, and operating in any of the Allied or Associated States, or in Austria, Hungary, Bulgaria or Turkey, or in the dependencies of these States, or in the former Russian Empire.

ARTICLE 259.

(1) Germany agrees to deliver within one month from the date of the coming into force of the present Treaty, to such authority as the Principal Allied and Associated Powers may designate, the sum in gold which was to be deposited in the Reichsbank in the name of the Council of the Administration of the Ottoman Public Debt as security for the first issue of Turkish Government currency notes.

(2) Germany recognises her obligation to make annually for the period of twelve years the payments in gold for which provision is made in the German Treasury Bonds deposited by her from time to time in the name of the Council of the Administration of the Ottoman Public Debt as security for the second and subsequent issues of Turkish Government currency notes.

(3) Germany undertakes to deliver, within one month from the coming into force of the present Treaty, to such authority as the Principal Allied and Associated Powers may designate, the gold deposit constituted in the Reichsbank or elsewhere, representing the residue of the advance in gold agreed to on May 5, 1915, by the Council of the Administration of the Ottoman Public Debt to the Imperial Ottoman Government.

(4) Germany agrees to transfer to the Principal Allied and Associated Powers any title that she may have to the sum in gold and silver transmitted by her to the Turkish Ministry of Finance in November, 1918, in anticipation of the payment to be made in May, 1919, for the service of the Turkish Internal Loan.

(5) Germany undertakes to transfer to the Principal Allied and Associated Powers, within a period of one month from the coming into force of the present Treaty, any sums in gold transferred as pledge or as collateral security to the German Government or its nationals in connection with loans made by them to the Austro-Hungarian Government.

(6) Without prejudice to Article 292 of Part X (Economic Clauses) of the present Treaty, Germany confirms the renunciation provided for in Article XV of the Armistice of November 11, 1918, of any benefit disclosed by the Treaties of Bucharest and of Brest-Litovsk and by the treaties supplementary thereto.

Germany undertakes to transfer, either to Roumania or to the Principal Allied and Associated Powers as the case may be, all monetary instruments, specie, securities and negotiable instruments, or goods, which she has received under the aforesaid Treaties.

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(7) The sums of money and all securities, instruments and goods of whatsoever nature, to be delivered, paid and transferred under the provisions of this Article, shall be disposed of by the Principal Allied and Associated Powers in a manner hereafter to be determined by those Powers.

ARTICLE 260.

Without prejudice to the renunciation of any rights by Germany on behalf of herself or of her nationals in the other provisions of the present Treaty, the Reparation Commission may within one year from the coming into force of the present Treaty demand that the German Government become possessed of any rights and intrests of German nationals in any public utility undertaking or in any concession operating in Russia, China, Turkey, Austria, Hungary and Bulgaria, or in the possessions or dependencies of these States or in any territory formerly belonging to Germany or her allies, to be ceded by Germany or her allies to any Power or to be administered by a Mandatory under the present Treaty, and may require that the German Government transfer, within six months of the date of demand, all such rights and interests and any similar rights and interests the German Government may itself possess to the Reparation Commission.

Germany shall be responsible for indemnifying her nationals so dispossessed, and the Reparation Commission shall credit Germany, on account of sums due for reparation, with such sums in respect of the value of the transferred rights and interests as may be assessed by the Reparation Commission, and the German Government shall, within six months from the coming into force of the present Treaty, communicate to the Reparation Commission all such rights and interests, whether already granted, contingent or not yet exercised, and shall renounce on behalf of itself and its nationals in favour of the Allied and Associated Powers all such rights and interests which have not been so communicated.

ARTICLE 261.

Germany undertakes to transfer to the Allied and Associated Powers any claims she may have to payment or repayment by the Governments of Austria, Hungary, Bulgaria or Turkey, and, in particular, any claims which may arise, now or hereafter, from the fulfilment of undertakings made by Germany during the war to those Governments.

ARTICLE 262.

Any monetary obligation due by Germany arising out of the present Treaty and expressed in terms of gold marks shall be payable at the option of the creditors in pounds sterling payable in London; gold dollars of the United States of America payable in New York; gold francs payable in Paris; or gold lire payable in Rome.

For the purpose of this Article the gold coins mentioned above shall be defined as being of the weight and fineness of gold as enacted by law on January 1, 1914.

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ARTICLE 263.

Germany gives a guarantee to the Brazilian Government that all sums representing the sale of coffee belonging to the State of Sao Paolo in the ports of Hamburg, Bremen, Antwerp and Trieste, which were deposited with the Bank of Bleichröder at Berlin, shall be reimbursed together with interest at the rate or rates agreed upon. Germany, having prevented the transfer of the sums in question to the State of Sao Paolo at the proper time, guarantees also that the reimbursement shall be effected at the rate of exchange of the day of the deposit.

PART X.

ECONOMIC CLAUSES.

SECTION I.

COMMERCIAL RELATIONS.

CHAPTER I.

CUSTOMS REGULATIONS, DUTIES AND RESTRICTIONS.

ARTICLE 264.

Germany undertakes that goods the produce or manufacture of any one of the Allied or Associated States imported into German territory, from whatsoever place arriving, shall not be subjected to other or higher duties or charges (including internal charges) than those to which the like goods the produce or manufacture of any other such State or of any other foreign country are subject.

Germany will not maintain or impose any prohibition or restriction on the importation into German territory of any goods the produce or manufacture of the territories of any one of the Allied or Associated States, from whatsoever place arriving, which shall not equally extend to the importation of the like goods the produce or manufacture of any other such State or of any other foreign country.

ARTICLE 265.

Germany further undertakes that, in the matter of the régime applicable on importation, no discrimination against the commerce of any of the Allied and Associated States as compared with any other of the said States or any other foreign country shall be made, even by indirect means, such as customs regulations or procedure, methods of verification or analysis conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies.

ARTICLE 266.

In all that concerns exportation Germany undertakes that goods, natural products or manufactured articles, exported from German

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territory to the territories of any one of the Allied or Associated States shall not be subjected to other or higher duties or charges (including internal charges) than those paid on the like goods exported to any other such State or to any other foreign country.

Germany will not maintain or impose any prohibition or restriction on the exportation of any goods sent from her territory to any one of the Allied or Associated States which shall not equally extend to the exportation of the like goods, natural products or manufactured articles, sent to any other such State or to any other foreign country.

ARTICLE 267.

Every favour, immunity or privilege in regard to the importation, exportation or transit of goods granted by Germany to any Allied or Associated State or to any other foreign country whatever shall simultaneously and unconditionally, without request and without compensation, be extended to all the Allied and Associated States.

ARTICLE 268.

The provisions of Articles 264 to 267 inclusive of this Chapter and of Article 323 of Part XII (Ports, Waterways and Railways) of the present Treaty are subject to the following exceptions:

(*a*) For a period of five years from the coming into force of the present Treaty, natural or manufactured products which both originate in and come from the territories of Alsace and Lorraine reunited to France shall, on importation into German customs territory, be exempt from all customs duty.

The French Government shall fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

Further, during the period above mentioned the German Government shall allow the free export from Germany, and the free re-importation into Germany, exempt from all customs duties and other charges (including internal charges), of yarns, tissues, and other textile materials or textile products of any kind and in any condition, sent from Germany into the territories of Alsace or Lorraine, to be subjected there to any finishing process, such as bleaching, dyeing, printing, mercerisation, gassing, twisting or dressing.

(*b*) During a period of three years from the coming into force of the present Treaty natural or manufactured products which both originate in and come from Polish territories which before the war were part of Germany shall, on importation into German customs territory, be exempt from all customs duty.

The Polish Government shall fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

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(*c*) The Allied and Associated Powers reserve the right to require Germany to accord freedom from customs duty, on importation into German customs territory, to natural products and manufactured articles which both originate in and come from the Grand Duchy of Luxemburg, for a period of five years from the coming into force of the present Treaty.

The nature and amount of the products which shall enjoy the benefits of this régime shall be communicated each year to the German Government.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

ARTICLE 269.

During the first six months after the coming into force of the present Treaty, the duties imposed by Germany on imports from Allied and Associated States shall not be higher than the most favourable duties which were applied to imports into Germany on July 31, 1914.

During a further period of thirty months after the expiration of the first six months, this provision shall continue to be applied exclusively with regard to products which, being comprised in Section A of the First Category of the German Customs Tariff of December 25, 1902, enjoyed at the above-mentioned date (July 31, 1914) rates conventionalised by treaties with the Allied and Associated Powers, with the addition of all kinds of wine and vegetable oils, of artificial silk and of washed or scoured wool, whether or not they were the subject of special conventions before July 31, 1914.

ARTICLE 270.

The Allied and Associated Powers reserve the right to apply to German territory occupied by their troops a special customs régime as regards imports and exports, in the event of such a measure being necessary in their opinion in order to safeguard the economic interests of the population of these territories.

CHAPTER II.

SHIPPING.

ARTICLE 271.

As regards sea fishing, maritime coasting trade, and maritime towage, vessels of the Allied and Associated Powers shall enjoy, in German territorial waters, the treatment accorded to vessels of the most favoured nation.

ARTICLE 272.

Germany agrees that, notwithstanding any stipulation to the contrary contained in the Conventions relating to the North Sea fisheries and liquor traffic, all rights of inspection and police shall, in the case of fishing-boats of the Allied Powers, be exercised solely by ships belonging to those Powers.

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ARTICLE 273.

In the case of vessels of the Allied or Associated Powers, all classes of certificates or documents relating to the vessel, which were recognised as valid by Germany before the war, or which may hereafter be recognised as valid by the principal maritime States, shall be recognised by Germany as valid and as equivalent to the corresponding certificates issued to German vessels.

A similar recognition shall be accorded to the certificates and documents issued to their vessels by the Governments of new States, whether they have a sea-coast or not, provided that such certificates and documents shall be issued in conformity with the general practice observed in the principal maritime States.

The High Contracting Parties agree to recognise the flag flown by the vessels of an Allied or Associated Power having no sea-coast which are registered at some one specified place situated in its territory; such place shall serve as the port of registry of such vessels.

CHAPTER III.

UNFAIR COMPETITION.

ARTICLE 274.

Germany undertakes to adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the Allied and Associated Powers from all forms of unfair competition in commercial transactions.

Germany undertakes to prohibit and repress by seizure and by other appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in its territory of all goods bearing upon themselves or their usual get-up or wrappings any marks, names, devices, or description whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type, nature, or special characteristics of such goods.

ARTICLE 275.

Germany undertakes on condition that reciprocity is accorded in these matters to respect any law, or any administrative or judicial decision given in conformity with such law, in force in any Allied or Associated State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of wine or spirits produced in the State to which the region belongs, or the conditions under which the use of any such appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such law or order shall be prohibited by the German Government and repressed by the measures prescribed in the preceding Article.

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Chapter IV.

Treatment of Nationals of Allied and Associated Powers.

Article 276.

Germany undertakes:

(*a*) Not to subject the nationals of the Allied and Associated Powers to any prohibition in regard to the exercise of occupations, professions, trade and industry, which shall not be equally applicable to all aliens without exception;

(*b*) Not to subject the nationals of the Allied and Associated Powers in regard to the rights referred to in paragraph (*a*) to any regulation or restriction which might contravene directly or indirectly the stipulations of the said paragraph, or which shall be other or more disadvantageous than those which are applicable to nationals of the most favoured nation;

(*c*) Not to subject the nationals of the Allied and Associated Powers, their property, rights or interests, including companies and associations in which they are interested, to any charge, tax or impost, direct or indirect, other or higher than those which are or may be imposed on her own nationals or their property, rights or interests;

(*d*) Not to subject the nationals of any one of the Allied and Associated Powers to any restriction which was not applicable on July 1, 1914, to the nationals of such Powers unless such restriction is likewise imposed on her own nationals.

Article 277.

The nationals of the Allied and Associated Powers shall enjoy in German territory a constant protection for their persons and for their property, rights and interests, and shall have free access to the courts of law.

Article 278.

Germany undertakes to recognise any new nationality which has been or may be acquired by her nationals under the laws of the Allied and Associated Powers and in accordance with the decisions of the competent authorities of these Powers pursuant to naturalisation laws or under treaty stipulations, and to regard such persons as having, in consequence of the acquisition of such new nationality, in all respects severed their allegiance to their country of origin.

Article 279.

The Allied and Associated Powers may appoint consuls-general, consuls, vice-consuls, and consular agents in German towns and ports. Germany undertakes to approve the designation of the consuls-general, consuls, vice-consuls, and consular agents, whose names shall be notified to her, and to admit them to the exercise of their functions in conformity with the usual rules and customs.

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CHAPTER V.

GENERAL ARTICLES.

ARTICLE 280.

The obligations imposed on Germany by Chapter I and by Articles 271 and 272 of Chapter II above shall cease to have effect five years from the date of the coming into force of the present Treaty, unless otherwise provided in the text, or unless the Council of the League of Nations shall, at least twelve months before the expiration of that period, decide that these obligations shall be maintained for a further period with or without amendment.

Article 276 of Chapter IV shall remain in operation, with or without amendment, after the period of five years for such further period, if any, not exceeding five years, as may be determined by a majority of the Council of the League of Nations.

ARTICLE 281.

If the German Government engages in international trade, it shall not in respect thereof have or be deemed to have any rights, privileges or immunities of sovereignty.

SECTION II.

TREATIES.

ARTICLE 282.

From the coming into force of the present Treaty and subject to the provisions thereof the multilateral treaties, conventions and agreements of an economic or technical character enumerated below and in the subsequent Articles shall alone be applied as between Germany and those of the Allied and Associated Powers party thereto:

(1) Conventions of March 14, 1884, December 1, 1886, and March 23, 1887, and Final Protocol of July 7, 1887, regarding the protection of submarine cables.

(2) Convention of October 11, 1909, regarding the international circulation of motor-cars.

(3) Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907.

(4) Agreement of May 15, 1886, regarding the technical standardisation of railways.

(5) Convention of July 5, 1890, regarding the publication of customs tariffs and the organisation of an International Union for the publication of customs tariffs.

(6) Convention of December 31, 1913, regarding the unification of commercial statistics.

(7) Convention of April 25, 1907, regarding the raising of the Turkish customs tariff.

(8) Convention of March 14, 1857, for the redemption of toll dues on the Sound and Belts.

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(9) Convention of June 22, 1861, for the redemption of the Stade Toll on the Elbe.

(10) Convention of July 16, 1863, for the redemption of the toll dues on the Scheldt.

(11) Convention of October 29, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal.

(12) Conventions of September 23, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea.

(13) Convention of December 21, 1904, regarding the exemption of hospital ships from dues and charges in ports.

(14) Convention of February 4, 1898, regarding the tonnage measurement of vessels for inland navigation.

(15) Convention of September 26, 1906, for the suppression of nightwork for women.

(16) Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

(17) Conventions of May 18, 1904, and May 4, 1910, regarding the suppression of the White Slave Traffic.

(18) Convention of May 4, 1910, regarding the suppression of obscene publications.

(19) Sanitary Conventions of January 30, 1892, April 15, 1893, April 3, 1894, March 19, 1897, and December 3, 1903.

(20) Convention of May 20, 1875, regarding the unification and improvement of the metric system.

(21) Convention of November 29, 1906, regarding the unification of pharmacopœial formulæ for potent drugs.

(22) Convention of November 16 and 19, 1885, regarding the establishment of a concert pitch.

(23) Convention of June 7, 1905, regarding the creation of an International Agricultural Institute at Rome.

(24) Conventions of November 3, 1881, and April 15, 1889, regarding precautionary measures against phylloxera.

(25) Convention of March 19, 1902, regarding the protection of birds useful to agriculture.

(26) Convention of June 12, 1902, as to the protection of minors.

ARTICLE 283.

From the coming into force of the present Treaty the High Contracting Parties shall apply the conventions and agreements hereinafter mentioned, in so far as concerns them, on condition that the special stipulations contained in this Article are fulfilled by Germany.

Postal Conventions:

Conventions and agreements of the Universal Postal Union concluded at Vienna, July 4, 1891.

Conventions and agreements of the Postal Union signed at Washington, June 15, 1897.

Conventions and agreements of the Postal Union signed at Rome, May 26, 1906.

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Telegraphic Conventions:

International Telegraphic Conventions signed at St. Petersburg July 10/22, 1875.

Regulations and Tariffs drawn up by the International Telegraphic Conference, Lisbon, June 11, 1908.

Germany undertakes not to refuse her assent to the conclusion by the new States of the special arrangements referred to in the conventions and agreements relating to the Universal Postal Union and to the International Telegraphic Union, to which the said new States have adhered or may adhere.

ARTICLE 284.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the International Radio-Telegraphic Convention of July 5, 1912, on condition that Germany fulfils the provisional regulations which will be indicated to her by the Allied and Associated Powers.

If within five years after the coming into force of the present Treaty a new convention regulating international radio-telegraphic communications should have been concluded to take the place of the Convention of July 5, 1912, this new convention shall bind Germany, even if Germany should refuse either to take part in drawing up the convention, or to subscribe thereto.

This new convention will likewise replace the provisional regulations in force.

ARTICLE 285.

From the coming into force of the present Treaty, the High Contracting Parties shall apply in so far as concerns them and under the conditions stipulated in Article 272, the conventions hereinafter mentioned:

(1) The Conventions of May 6, 1882, and February 1, 1889, regulating the fisheries in the North Sea outside territorial waters.

(2) The Conventions and Protocols of November 16, 1887, February 14, 1893, and April 11, 1894, regarding the North Sea liquor traffic.

ARTICLE 286.

The International Convention of Paris of March 20, 1883, for the protection of industrial property, revised at Washington on June 2, 1911; and the International Convention of Berne of September 9, 1886, for the protection of literary and artistic works, revised at Berlin on November 13, 1908, and completed by the additional Protocol signed at Berne on March 20, 1914, will again come into effect as from the coming into force of the present Treaty, in so far as they are not affected or modified by the exceptions and restrictions resulting therefrom.

ARTICLE 287.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the Conven-

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tion of the Hague of July 17, 1905, relating to civil procedure. This renewal, however, will not apply to France, Portugal and Roumania.

ARTICLE 288.

The special rights and privileges granted to Germany by Article 3 of the Convention of December 2, 1899, relating to Samoa shall be considered to have terminated on August 4, 1914.

ARTICLE 289.

Each of the Allied or Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Germany the bilateral treaties or conventions which such Allied or Associated Power wishes to revive with Germany.

The notification referred to in the present Article shall be made either directly or through the intermediary of another Power. Receipt thereof shall be acknowledged in writing by Germany. The date of the revival shall be that of the notification.

The Allied and Associated Powers undertake among themselves not to revive with Germany any conventions or treaties which are not in accordance with the terms of the present Treaty.

The notification shall mention any provisions of the said conventions and treaties which, not being in accordance with the terms of the present Treaty, shall not be considered as revived.

In case of any difference of opinion, the League of Nations will be called on to decide.

A period of six months from the coming into force of the present Treaty is allowed to the Allied and Associated Powers within which to make the notification.

Only those bilateral treaties and conventions which have been the subject of such a notification shall be revived between the Allied and Associated Powers and Germany; all the others are and shall remain abrogated.

The above regulations apply to all bilateral treaties or conventions existing between all the Allied and Associated Powers signatories to the present Treaty and Germany, even if the said Allied and Associated Powers have not been in a state of war with Germany.

ARTICLE 290.

Germany recognises that all the treaties, conventions or agreements which she has concluded with Austria, Hungary, Bulgaria or Turkey since August 1, 1914, until the coming into force of the present Treaty are and remain abrogated by the present Treaty.

ARTICLE 291.

Germany undertakes to secure to the Allied and Associated Powers, and to the officials and nationals of the said Powers, the enjoyment of all the rights and advantages of any kind which she may have granted to Austria, Hungary, Bulgaria or Turkey, or to the officials and nationals of these States by treaties, conventions or ar-

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rangements concluded before August 1, 1914, so long as those treaties, conventions or arrangements remain in force.

The Allied and Associated Powers reserve the right to accept or not the enjoyment of these rights and advantages.

ARTICLE 292.

Germany recognises that all treaties, conventions or arrangements which she concluded with Russia, or with any State or Government of which the territory previously formed a part of Russia, or with Roumania, before August 1, 1914, or after that date until coming into force of the present Treaty, are and remain abrogated.

ARTICLE 293.

Should an Allied or Associated Power, Russia, or a State or Government of which the territory formerly constituted a part of Russia, have been forced since August 1, 1914, by reason of military occupation or by any other means or for any other cause, to grant or to allow to be granted by the act of any public authority, concessions, privileges and favours of any kind to Germany or to a German national, such concessions, privileges and favours are *ipso facto* annulled by the present Treaty.

No claims or indemnities which may result from this annulment shall be charged against the Allied or Associated Powers or the Powers, States, Governments or public authorities which are released from their engagements by the present Article.

ARTICLE 294.

From the coming into force of the present Treaty Germany undertakes to give the Allied and Associated Powers and their nationals the benefit *ipso facto* of the rights and advantages of any kind which she has granted by treaties, conventions, or arrangements to non-belligerent States or their nationals since August 1, 1914, until the coming into force of the present Treaty, so long as those treaties, conventions or arrangements remain in force.

ARTICLE 295.

Those of the High Contracting Parties who have not yet signed, or who have signed but not yet ratified, the Opium Convention signed at The Hague on January 23, 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay and in any case within a period of twelve months from the coming into force of the present Treaty.

Furthermore, they agree that ratification of the present Treaty should in the case of Powers which have not yet ratified the Opium Convention be deemed in all respects equivalent to the ratification of that Convention and to the signature of the Special Protocol which was opened at The Hague in accordance with the resolutions adopted by the Third Opium Conference in 1914 for bringing the said Convention into force.

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For this purpose the Government of the French Republic will communicate to the Government of the Netherlands a certified copy of the protocol of the deposit of ratifications of the present Treaty, and will invite the Government of the Netherlands to accept and deposit the said certified copy as if it were a deposit of ratifications of the Opium Convention and a signature of the Additional Protocol of 1914.

SECTION III.

DEBTS.

ARTICLE 296.

There shall be settled through the intervention of clearing offices to be established by each of the High Contracting Parties within three months of the notification referred to in paragraph (*e*) hereafter the following classes of pecuniary obligations:

(1) Debts payable before the war and due by a national of one of the Contracting Powers, residing within its territory, to a national of an Opposing Power, residing within its territory;

(2) Debts which became payable during the war to nationals of one Contracting Power residing within its territory and arose out of transactions or contracts with the nationals of an Opposing Power, resident within its territory, of which the total or partial execution was suspended on account of the declaration of war;

(3) Interest which has accrued due before and during the war to a national of one of the Contracting Powers in respect of securities issued by an Opposing Power, provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the war;

(4) Capital sums which have become payable before and during the war to nationals of one of the Contracting Powers in respect of securities issued by one of the Opposing Powers, provided that the payment of such capital sums to nationals of that Power or to neutrals has not been suspended during the war.

The proceeds of liquidation of enemy property, rights and interests mentioned in Section IV and in the Annex thereto will be accounted for through the Clearing Offices, in the currency and at the rate of exchange hereinafter provided in paragraph (*d*), and disposed of by them under the conditions provided by the said Section and Annex.

The settlements provided for in this Article shall be effected according to the following principles and in accordance with the Annex to this Section:

(*a*) Each of the High Contracting Parties shall prohibit, as from the coming into force of the present Treaty, both the payment and the acceptance of payment of such debts, and also all communications between the interested parties with regard to the settlement of the said debts otherwise than through the Clearing Offices;

(*b*) Each of the High Contracting Parties shall be respectively responsible for the payment of such debts due by its nationals, except in the cases where before the war the debtor was in a state of bankruptcy or failure, or had given formal indication of insolvency or

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where the debt was due by a company whose business has been liquidated under emergency legislation during the war. Nevertheless, debts due by the inhabitants of territory invaded or occupied by the enemy before the Armistice will not be guaranteed by the States of which those territories form part;

(*c*) The sums due to the nationals of one of the High Contracting Parties by the nationals of an Opposing State will be debited to the Clearing Office of the country of the debtor, and paid to the creditor by the Clearing Office of the country of the creditor;

(*d*) Debts shall be paid or credited in the currency of such one of the Allied and Associated Powers, their colonies or protectorates, or the British Dominions or India, as may be concerned. If the debts are payable in some other currency they shall be paid or credited in the currency of the country concerned, whether an Allied or Associated Power, Colony, Protectorate, British Dominion or India, at the pre-war rate of exchange.

For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied or Associated country concerned during the month immediately preceding the outbreak of war between the said country concerned and Germany.

If a contract provides for a fixed rate of exchange governing the conversion of the currency in which the debt is stated into the currency of the Allied or Associated country concerned, then the above provisions concerning the rate of exchange shall not apply.

In the case of new States the currency in which and the rate of exchange at which debts shall be paid or credited shall be determined by the Reparation Commission provided for in Part VIII (Reparation);

(*e*) The provisions of this Article and of the Annex hereto shall not apply as between Germany on the one hand and any one of the Allied and Associated Powers, their colonies or protectorates, or any one of the British Dominions or India on the other hand, unless within a period of one month from the deposit of the ratification of the present Treaty by the Power in question, or of the ratification on behalf of such Dominion or of India, notice to that effect is given to Germany by the Government of such Allied or Associated Power or of such Dominion or of India as the case may be;

(*f*) The Allied and Associated Powers who have adopted this Article and the Annex hereto may agree between themselves to apply them to their respective nationals established in their territory so far as regards matters between their nationals and German nationals. In this case the payments made by application of this provision will be subject to arrangements between the Allied and Associated Clearing Offices concerned.

ANNEX.

1.

Each of the High Contracting Parties will, within three months from the notification provided for in Article 296, paragraph (*e*), establish a Clearing Office for the collection and payment of enemy debts.

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Local Clearing Offices may be established for any particular portion of the territories of the High Contracting Parties. Such local Clearing Offices may perform all the functions of a central Clearing Office in their respective districts, except that all transactions with the Clearing Office in the Opposing State must be effected through the central Clearing Office.

2.

In this Annex the pecuniary obligations referred to in the first paragraph of Article 296 are described "as enemy debts", the persons from whom the same are due as "enemy debtors", the persons to whom they are due as "enemy creditors", the Clearing Office in the country of the creditor is called the "Creditor Clearing Office", and the Clearing Office in the country of the debtor is called the "Debtor Clearing Office."

3.

The High Contracting Parties will subject contraventions of paragraph (*a*) of Article 296 to the same penalties as are at present provided by their legislation for trading with the enemy. They will similarly prohibit within their territory all legal process relating to payment of enemy debts, except in accordance with the provisions of this Annex.

4.

The Government guarantee specified in paragraph (*b*) of Article 296 shall take effect whenever, for any reason, a debt shall not be recoverable, except in a case where at the date of the outbreak of war the debt was barred by the laws of prescription in force in the country of the debtor, or where the debtor was at that time in a state of bankruptcy or failure or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. In such case the procedure specified by this Annex shall apply to payment of the dividends.

The terms "bankruptcy" and "failure" refer to the application of legislation providing for such juridical conditions. The expression "formal indication of insolvency" bears the same meaning as it has in English law.

5.

Creditors shall give notice to the Creditor Clearing Office within six months of its establishment of debts due to them, and shall furnish the Clearing Office with any documents and information required of them.

The High Contracting Parties will take all suitable measures to trace and punish collusion between enemy creditors and debtors. The Clearing Offices will communicate to one another any evidence and information which might help the discovery and punishment of such collusion.

The High Contracting Parties will facilitate as much as possible postal and telegraphic communication at the expense of the parties

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concerned and through the intervention of the Clearing Offices between debtors and creditors desirous of coming to an agreement as to the amount of their debt.

The Creditor Clearing Office will notify the Debtor Clearing Office of all debts declared to it. The Debtor Clearing Office will, in due course, inform the Creditor Clearing Office which debts are admitted and which debts are contested. In the latter case, the Debtor Clearing Office will give the grounds for the non-admission of debt.

6.

When a debt has been admitted, in whole or in part, the Debtor Clearing Office will at once credit the Creditor Clearing Office with the amount admitted, and at the same time notify it of such credit.

7.

The debt shall be deemed to be admitted in full and shall be credited forthwith to the Creditor Clearing Office unless within three months from the receipt of the notification or such longer time as may be agreed to by the Creditor Clearing Office notice has been given by the Debtor Clearing Office that it is not admitted.

8.

When the whole or part of a debt is not admitted the two Clearing Offices will examine into the matter jointly and will endeavour to bring the parties to an agreement.

9.

The Creditor Clearing Office will pay to the individual creditor the sums credited to it out of the funds placed at its disposal by the Government of its country and in accordance with the conditions fixed by the said Government, retaining any sums considered necessary to cover risks, expenses or commissions.

10.

Any person having claimed payment of an enemy debt which is not admitted in whole or in part shall pay to the clearing office, by way of fine, interest at 5 per cent. on the part not admitted. Any person having unduly refused to admit the whole or part of a debt claimed from him shall pay, by way of fine, interest at 5 per cent. on the amount with regard to which his refusal shall be disallowed.

Such interest shall run from the date of expiration of the period provided for in paragraph 7 until the date on which the claim shall have been disallowed or the debt paid.

Each Clearing Office shall in so far as it is concerned take steps to collect the fines above provided for, and will be responsible if such fines cannot be collected.

The fines will be credited to the other Clearing Office, which shall retain them as a contribution towards the cost of carrying out the present provisions.

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11.

The balance between the Clearing Offices shall be struck monthly and the credit balance paid in cash by the debtor State within a week.

Nevertheless, any credit balances which may be due by one or more of the Allied and Associated Powers shall be retained until complete payment shall have been effected of the sums due to the Allied or Associated Powers or their nationals on account of the war.

12.

To facilitate discussion between the Clearing Offices each of them shall have a representative at the place where the other is established.

13.

Except for special reasons all discussions in regard to claims will, so far as possible, take place at the Debtor Clearing Office.

14.

In conformity with Article 296, paragraph (*b*), the High Contracting Parties are responsible for the payment of the enemy debts owing by their nationals.

The Debtor Clearing Office will therefore credit the Creditor Clearing Office with all debts admitted, even in case of inability to collect them from the individual debtor. The Governments concerned will, nevertheless, invest their respective Clearing Offices with all necessary powers for the recovery of debts which have been admitted.

As an exception, the admitted debts owing by persons having suffered injury from acts of war shall only be credited to the Creditor Clearing Office when the compensation due to the person concerned in respect of such injury shall have been paid.

15.

Each Government will defray the expenses of the Clearing Office set up in its territory, including the salaries of the staff.

16.

Where the two Clearing Offices are unable to agree whether a debt claimed is due, or in case of a difference between an enemy debtor and an enemy creditor or between the Clearing Offices, the dispute shall either be referred to arbitration if the parties so agree under conditions fixed by agreement between them, or referred to the Mixed Arbitral Tribunal provided for in Section VI hereafter.

At the request of the Creditor Clearing Office the dispute may, however, be submitted to the jurisdiction of the Courts of the place of domicile of the debtor.

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17.

Recovery of sums found by the Mixed Arbitral Tribunal, the Court, or the Arbitration Tribunal to be due shall be effected through the Clearing Offices as if these sums were debts admitted by the Debtor Clearing Office.

18.

Each of the Governments concerned shall appoint an agent who will be responsible for the presentation to the Mixed Arbitral Tribunal of the cases conducted on behalf of its Clearing Office. This agent will exercise a general control over the representatives or counsel employed by its nationals.

Decisions will be arrived at on documentary evidence, but it will be open to the Tribunal to hear the parties in person, or according to their preference by their representatives approved by the two Governments, or by the agent referred to above, who shall be competent to intervene along with the party or to re-open and maintain a claim abandoned by the same.

19.

The Clearing Offices concerned will lay before the Mixed Arbitral Tribunal all the information and documents in their possession, so as to enable the Tribunal to decide rapidly on the cases which are brought before it.

20.

Where one of the parties concerned appeals against the joint decision of the two Clearing Offices he shall make a deposit against the costs, which deposit shall only be refunded when the first judgment is modified in favour of the appellant and in proportion to the success he may attain, his opponent in case of such a refund being required to pay an equivalent proportion of the costs and expenses. Security accepted by the Tribunal may be substituted for a deposit.

A fee of 5 per cent. of the amount in dispute shall be charged in respect of all cases brought before the Tribunal. This fee shall, unless the Tribunal directs otherwise, be borne by the unsuccessful party. Such fee shall be added to the deposit referred to. It is also independent of the security.

The Tribunal may award to one of the parties a sum in respect of the expenses of the proceedings.

Any sum payable under this paragraph shall be credited to the Clearing Office of the successful party as a separate item.

21.

With a view to the rapid settlement of claims, due regard shall be paid in the appointment of all persons connected with the Clearing Offices or with the Mixed Arbitral Tribunal to their knowledge of the language of the other country concerned.

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Each of the Clearing Offices will be at liberty to correspond with the other and to forward documents in its own language.

22.

Subject to any special agreement to the contrary between the Governments concerned, debts shall carry interest in accordance with the following provisions:

Interest shall not be payable on sums of money due by way of dividend, interest or other periodical payments which themselves represent interest on capital.

The rate of interest shall be 5 per cent. per annum except in cases where, by contract, law or custom, the creditor is entitled to payment of interest at a different rate. In such cases the rate to which he is entitled shall prevail.

Interest shall run from the date of commencement of hostilities (or, if the sum of money to be recovered fell due during the war, from the date at which it fell due) until the sum is credited to the Clearing Office of the creditor.

Sums due by way of interest shall be treated as debts admitted by the Clearing Offices and shall be credited to the Creditor Clearing Office in the same way as such debts.

23.

Where by decision of the Clearing Offices or the Mixed Arbitral Tribunal a claim is held not to fall within Article 296, the creditor shall be at liberty to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

The presentation of a claim to the Clearing Office suspends the operation of any period of prescription.

24.

The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

25.

In any case where a Creditor Clearing Office declines to notify a claim to the Debtor Clearing Office, or to take any step provided for in this Annex, intended to make effective in whole or in part a request of which it has received due notice, the enemy creditor shall be entitled to receive from the Clearing Office a certificate setting out the amount of the claim, and shall then be entitled to prosecute the claim before the courts or to take such other proceedings as may be open to him.

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SECTION IV.

PROPERTY, RIGHTS AND INTERESTS.

ARTICLE 297.

The question of private property, rights and interests in an enemy country shall be settled according to the principles laid down in this Section and to the provisions of the Annex hereto.

(*a*) The exceptional war measures and measures of transfer (defined in paragraph 3 of the Annex hereto) taken by Germany with respect to the property, rights and interests of nationals of Allied or Associated Powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights and interests concerned restored to their owners, who shall enjoy full rights therein in accordance with the provisions of Article 298.

(*b*) Subject to any contrary stipulations which may be provided for in the present Treaty, the Allied and Associated Powers reserve the right to retain and liquidate all property, rights and interests belonging at the date of the coming into force of the present Treaty to German nationals, or companies controlled by them, within their territories, colonies, possessions and protectorates, including territories ceded to them by the present Treaty.

The liquidation shall be carried out in accordance with the laws of the Allied or Associated State concerned, and the German owner shall not be able to dispose of such property, rights or interests nor to subject them to any charge without the consent of that State.

German nationals who acquire *ipso facto* the nationality of an Allied or Associated Power in accordance with the provisions of the present Treaty will not be considered as German nationals within the meaning of this paragraph.

(*c*) The price or the amount of compensation in respect of the exercise of the right referred to in the preceding paragraph (*b*) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(*d*) As between the Allied and Associated Powers or their nationals on the one hand and Germany or her nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the Annex hereto shall be considered as final and binding upon all persons except as regards the reservations laid down in the present Treaty.

(*e*) The nationals of Allied and Associated Powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights or interests, including any company or association in which they are interested, in German territory as it existed on August 1, 1914, by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the Annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the Mixed Arbitral Tribunal provided for in Section

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VI or by an Arbitrator appointed by that Tribunal. This compensation shall be borne by Germany, and may be charged upon the property of German nationals within the territory or under the control of the claimant's State. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the Annex hereto. The payment of this compensation may be made by the Allied or Associated State, and the amount will be debited to Germany.

(*f*) Whenever a national of an Allied or Associated Power is entitled to property which has been subjected to a measure of transfer in German territory and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (*e*) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Germany shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph cannot be effected, private agreements arranged by the intermediation of the Powers concerned or the Clearing Offices provided for in the Annex to Section III may be made, in order to secure that the national of the Allied or Associated Power may secure compensation for the injury referred to in paragraph (*e*) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights or interests of which he was deprived.

Through restitution in accordance with this Article, the price or the amount of compensation fixed by the application of paragraph (*e*) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(*g*) The rights conferred by paragraph (*f*) are reserved to owners who are nationals of Allied or Associated Powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights or interests were not applied before the signature of the Armistice.

(*h*) Except in cases where, by application of paragraph (*f*), restitutions in specie have been made, the net proceeds of sales of enemy property, rights or interests wherever situated carried out either by virtue of war legislation, or by application of this Article, and in general all cash assets of enemies, shall be dealt with as follows:

(1) As regards Powers adopting Section III and the Annex thereto, the said proceeds and cash assets shall be credited to the Power of which the owner is a national, through the Clearing Office established thereunder; any credit balance in favour of Germany resulting therefrom shall be dealt with as provided in Article 243.

(2) As regards Powers not adopting Section III and the Annex thereto, the proceeds of the property, rights and interests, and the cash assets, of the nationals of Allied or Associated Powers held by Germany shall be paid immediately to the person entitled thereto or to his Government; the proceeds of the property, rights and interests, and the cash assets, of German nationals received by an

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Allied or Associated Power shall be subject to disposal by such Power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this Article or paragraph 4 of the Annex hereto. Any property, rights and interests or proceeds thereof or cash assets not used as above provided may be retained by the said Allied or Associated Power and if retained the cash value thereof shall be dealt with as provided in Article 243.

In the case of liquidations effected in new States, which are signatories of the present Treaty as Allied and Associated Powers, or in States which are not entitled to share in the reparation payments to be made by Germany, the proceeds of liquidations effected by such States shall, subject to the rights of the Reparation Commission under the present Treaty, particularly under Articles 235 and 260, be paid direct to the owner. If on the application of that owner, the Mixed Arbitral Tribunal, provided for by Section VI of this Part, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the State in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that State.

(*i*) Germany undertakes to compensate her nationals in respect of the sale or retention of their property, rights or interests in Allied or Associated States.

(*j*) The amount of all taxes and imposts upon capital levied or to be levied by Germany on the property, rights and interests of the nationals of the Allied or Associated Powers from November 11, 1918, until three months from the coming into force of the present Treaty, or, in the case of property, rights or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty, shall be restored to the owners.

ARTICLE 298.

Germany undertakes, with regard to the property, rights and interests, including companies and associations in which they were interested, restored to nationals of Allied and Associated Powers in accordance with the provisions of Article 297, paragraph (*a*) or (*f*):

(*a*) to restore and maintain, except as expressly provided in the present Treaty, the property, rights and interests of the nationals of Allied or Associated Powers in the legal position obtaining in respect of the property, rights and interests of German nationals under the laws in force before the war;

(*b*) not to subject the property, rights or interests of the nationals of the Allied or Associated Powers to any measures in derogation of property rights which are not applied equally to the property, rights and interests of German nationals, and to pay adequate compensation in the event of the application of these measures.

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ANNEX.

1.

In accordance with the provisions of Article 297, paragraph (*d*), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions or instructions of any court or any department of the Government of any of the High Contracting Parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights or interests dealt with in pursuance of any such order, direction, decision or instruction. Every action taken with regard to any property, business, or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding up, the sale or management of property, rights or interests, the collection or discharge of debts, the payment of costs, charges or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any court or of any department of the Government of any of the High Contracting Parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the German authorities in invaded or occupied territory, nor to such of the above mentioned measures as have been taken by Germany or the German authorities since November 11, 1918, all of which shall be void.

2.

No claim or action shall be made or brought against any Allied or Associated Power or against any person acting on behalf of or under the direction of any legal authority or Department of the Government of such a Power by Germany or by any German national wherever resident in respect of any act or omission with regard to his property, rights or interests during the war or in preparation for the war. Similarly no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws or regulations of any Allied or Associated Power.

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3.

In Article 297 and this Annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets, for whatsoever motive, under whatsoever form or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the cancelling of titles or securities.

4.

All property, rights and interests of German nationals within the territory of any Allied or Associated Power and the net proceeds of their sale, liquidation or other dealing therewith may be charged by that Allied or Associated Power in the first place with payment of amounts due in respect of claims by the nationals of that Allied or Associated Power with regard to their property, rights and interests, including companies and associations in which they are interested, in German territory, or debts owing to them by German nationals, and with payment of claims growing out of acts committed by the German Government or by any German authorities since July 31, 1914, and before that Allied or Associated Power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by Mr. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the Mixed Arbitral Tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such Allied or Associated Power with regard to their property, rights and interests in the territory of other enemy Powers, in so far as those claims are otherwise unsatisfied.

5.

Notwithstanding the provisions of Article 297, where immediately before the outbreak of war a company incorporated in an Allied or Associated State had rights in common with a company controlled

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by it and incorporated in Germany to the use of trade-marks in third countries, or enjoyed the use in common with such company of unique means of reproduction of goods or articles for sale in third countries, the former company shall alone have the right to use these trade-marks in third countries to the exclusion of the German company, and these unique means of reproduction shall be handed over to the former company, notwithstanding any action taken under German war legislation with regard to the latter company or its business, industrial property or shares. Nevertheless, the former company, if requested, shall deliver to the latter company derivative copies permitting the continuation of reproduction of articles for use within German territory.

6.

Up to the time when restitution is carried out in accordance with Article 297, Germany is responsible for the conservation of property, rights and interests of the nationals of Allied or Associated Powers, including companies and associations in which they are interested, that have been subjected by her to exceptional war measures.

7.

Within one year from the coming into force of the present Treaty the Allied or Associated Powers will specify the property, rights and interests over which they intend to exercise the right provided in Article 297, paragraph (*f*).

8.

The restitution provided in Article 297 will be carried out by order of the German Government or of the authorities which have been substituted for it. Detailed accounts of the action of administrators shall be furnished to the interested persons by the German authorities upon request, which may be made at any time after the coming into force of the present Treaty.

9.

Until completion of the liquidation provided for by Article 297, paragraph (*b*), the property, rights and interests of German nationals will continue to be subject to exceptional war measures that have been or will be taken with regard to them.

10.

Germany will, within six months from the coming into force of the present Treaty, deliver to each Allied or Associated Power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights or interests situated in the territory of that Allied or Associated Power, including any shares, stock, debentures, debenture stock, or other obligations of any company incorporated in accordance with the laws of that Power.

Germany will at any time on demand of any Allied or Associated Power furnish such information as may be required with regard to

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the property, rights and interests of German nationals within the territory of such Allied or Associated Power, or with regard to any transactions concerning such property, rights or interests effected since July 1, 1914.

11.

The expression "cash assets" includes all deposits or funds established before or after the declaration of war, as well as all assets coming from deposits, revenues, or profits collected by administrators, sequestrators, or others from funds placed on deposit or otherwise, but does not include sums belonging to the Allied or Associated Powers or to their component States, Provinces, or Municipalities.

12.

All investments wheresoever effected with the cash assets of nationals of the High Contracting Parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons or of any authority whatsoever shall be annulled. These cash assets shall be accounted for irrespective of any such investment.

13.

Within one month from the coming into force of the present Treaty, or on demand at any time, Germany will deliver to the Allied and Associated Powers all accounts, vouchers, records, documents and information of any kind which may be within German territory, and which concern the property, rights and interests of the nationals of those Powers, including companies and associations in which they are interested, that have been subjected to an exceptional war measure, or to a measure of transfer either in German territory or in territory occupied by Germany or her allies.

The contollers, supervisors, managers, administrators, sequestrators, liquidators and receivers shall be personally responsible under guarantee of the German Government for the immediate delivery in full of these accounts and documents, and for their accuracy.

14.

The provisions of Article 297 and this Annex relating to property, rights and interests in an enemy county, and the proceeds of the liquidation thereof, apply to debts, credits and accounts, Section III regulating only the method of payment.

In the settlement of matters provided for in Article 297 between Germany and the Allied or Associated States, their colonies or protectorates, or any one of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III, and between their respective nationals, the provisions of Section III respecting the currency in which payment is to be made and the rate of exchange and of interest shall apply unless the Government of the Allied or Associated Power concerned

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shall within six months of the coming into force of the present Treaty notify Germany that the said provisions are not to be applied.

15.

The provisions of Article 297 and this Annex apply to industrial, literary and artistic property which has been or will be dealt with in the liquidation of property, rights, interests, companies or businesses under war legislation by the Allied or Associated Powers, or in accordance with the stipulations of Article 297, paragraph (*b*).

Section V.

CONTRACTS, PRESCRIPTIONS, JUDGMENTS.

Article 299.

(*a*) Any contract concluded between enemies shall be regarded as having been dissolved as from the time when any two of the parties became enemies, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder, and subject to the exceptions and special rules with regard to particular contracts or classes of contracts contained herein or in the Annex hereto.

(*b*) Any contract of which the execution shall be required in the general interest, within six months from the date of the coming into force of the present Treaty, by the Allied or Associated Governments of which one of the parties is a national, shall be excepted from dissolution under this Article.

When the execution of the contract thus kept alive would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice the Mixed Arbitral Tribunal provided for by Section VI shall be empowered to grant to the prejudiced party equitable compensation.

(*c*) Having regard to the provisions of the constitution and law of the United States of America, of Brazil, and of Japan, neither the present Article, nor Article 300, nor the Annex hereto shall apply to contracts made between nationals of these States and German nationals; nor shall Article 305 apply to the United States of America or its nationals.

(*d*) The present Article and the annex hereto shall not apply to contracts the parties to which became enemies by reason of one of them being an inhabitant of territory of which the sovereignty has been transferred, if such party shall acquire under the present Treaty the nationality of an Allied or Associated Power, nor shall they apply to contracts between nationals of the Allied and Associated Powers between whom trading has been prohibited by reason of one of the parties being in Allied or Associated territory in the occupation of the enemy.

(*e*) Nothing in the present Article or the annex hereto shall be deemed to invalidate a transaction lawfully carried out in accordance with a contract between enemies if it has been carried out with the authority of one of the belligerent Powers.

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ARTICLE 300.

(*a*) All periods of prescription, or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated in the territory of the High Contracting Parties, so far as regards relations between enemies, as having been suspended for the duration of the war. They shall begin to run again at earliest three months after the coming into force of the present Treaty. This provision shall apply to the period prescribed for the presentation of interest or dividend coupons or for the presentation for repayment of securities drawn for repayment or repayable on any other ground.

(*b*) Where, on account of failure to perform any act or comply with any formality during the war, measures of execution have been taken in German territory to the prejudice of a national of an Allied or Associated Power, the claim of such national shall, if the matter does not fall within the competence of the Courts of an Allied or Associated Power, be heard by the Mixed Arbitral Tribunal provided for by Section VI.

(*c*) Upon the application of any interested person who is a national of an Allied or Associated Power the Mixed Arbitral Tribunal shall order the restoration of the rights which have been prejudiced by the measures of execution referred to in paragraph (*b*), wherever, having regard to the particular circumstances of the case, such restoration is equitable and possible.

If such restoration is inequitable or impossible the Mixed Arbitral Tribunal may grant compensation to the prejudiced party to be paid by the German Government.

(*d*) Where a contract between enemies has been dissolved by reason either of failure on the part of either party to carry out its provisions or of the exercise of a right stipulated in the contract itself the party prejudiced may apply to the Mixed Arbitral Tribunal for relief. The Tribunal will have the powers provided for in paragraph (*c*.)

(*e*) The provisions of the preceding paragraphs of this Article shall apply to the nationals of Allied and Associated Powers who have been prejudiced by reason of measures referred to above taken by Germany in invaded or occupied territory, if they have not been otherwise compensated.

(*f*) Germany shall compensate any third party who may be prejudiced by any restitution or restoration ordered by the Mixed Arbitral Tribunal under the provisions of the preceding paragraphs of this Article.

(*g*) As regards negotiable instruments, the period of three months provided under paragraph (*a*) shall commence as from the date on which any exceptional regulations applied in the territories of the interested Power with regard to negotiable instruments shall have definitely ceased to have force.

ARTICLE 301.

As between enemies no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment or to give notice of non-acceptance or non-payment to

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drawers or indorsers or to protest the instrument, nor by reason of failure to complete any formality during the war.

Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or indorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment or protest may be made.

ARTICLE 302.

Judgments given by the Courts of an Allied or Associated Power in all cases which, under the present Treaty, they are competent to decide, shall be recognised in Germany as final, and shall be enforced without it being necessary to have them declared executory.

If a judgment in respect to any dispute which may have arisen has been given during the war by a German Court against a national of an Allied or Associated State in a case in which he was not able to make his defence, the Allied and Associated national who has suffered prejudice thereby shall be entitled to recover compensation, to be fixed by the Mixed Arbitral Tribunal provided for in Section VI.

At the instance of the national of the Allied or Associated Power the compensation above-mentioned may, upon order to that effect of the Mixed Arbitral Tribunal, be effected where it is possible by replacing the parties in the situation which they occupied before the judgment was given by the German Court.

The above compensation may likewise be obtained before the Mixed Arbitral Tribunal by the nationals of Allied or Associated Powers who have suffered prejudice by judicial measures taken in invaded or occupied territories, if they have not been otherwise compensated.

ARTICLE 303.

For the purpose of Sections III, IV, V and VII, the expression "during the war" means for each Allied or Associated Power the period between the commencement of the state of war between that Power and Germany and the coming into force of the present Treaty.

ANNEX.

I. *General Provisions.*

1.

Within the meaning of Articles 299, 300 and 301, the parties to a contract shall be regarded as enemies when trading between them shall have been prohibited by or otherwise became unlawful under

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laws, orders or regulations to which one of those parties was subject. They shall be deemed to have become enemies from the date when such trading was prohibited or otherwise became unlawful.

2.

The following classes of contracts are excepted from dissolution by Article 299 and, without prejudice to the rights contained in Article 297 (*b*) of Section IV, remain in force subject to the application of domestic laws, orders or regulations made during the war by the Allied and Associated Powers and subject to the terms of the contracts:

(*a*) Contracts having for their object the transfer of estates or of real or personal property where the property therein had passed or the object had been delivered before the parties became enemies;

(*b*) Leases and agreements for leases of land and houses;

(*c*) Contracts of mortgage, pledge or lien;

(*d*) Concessions concerning mines, quarries or deposits;

(*e*) Contracts between individuals or companies and States, provinces, municipalities, or other similar juridical persons charged with administrative functions, and concessions granted by States, provinces, municipalites, or other similar juridical persons charged with administrative functions.

3.

If the provisions of a contract are in part dissolved under Article 299, the remaining provisions of that contract shall, subject to the same application of domestic laws as is provided for in paragraph 2, continue in force if they are severable, but where they are not severable the contract shall be deemed to have been dissolved in its entirety.

II. *Provisions relating to certain classes of Contracts.*

Stock Exchange and Commercial Exchange Contracts.

4.

(*a*) Rules made during the war by any recognised Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy are confirmed by the High Contracting Parties, as also any action taken thereunder, provided:

(1) That the contract was expressed to be made subject to the rules of the Exchange or Association in question;

(2) That the rules applied to all persons concerned;

(3) That the conditions attaching to the closure were fair and reasonable.

(*b*) The preceding paragraph shall not apply to rules made during the occupation by Exchanges or Commercial Associations in the districts occupied by the enemy.

(*c*) The closure of contracts relating to cotton "futures", which were closed as on July 31, 1914, under the decision of the Liverpool Cotton Association, is also confirmed.

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Security.

5.

The sale of a security held for an unpaid debt owing by an enemy shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, and no claim by the debtor on the ground of such sale shall be admitted.

This stipulation shall not apply to any sale of securities effected by an enemy during the occupation in regions invaded or occupied by the enemy.

Negotiable Instruments.

6.

As regards Powers which adopt Section III and the Annex thereto the pecuniary obligations existing between enemies and resulting from the issue of negotiable instruments shall be adjusted in conformity with the said Annex by the instrumentality of the Clearing Offices, which shall assume the rights of the holder as regards the various remedies open to him.

7.

If a person has either before or during the war become liable upon a negotiable instrument in accordance with an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of his liability notwithstanding the outbreak of war.

III. *Contracts of Insurance.*

8.

Contracts of insurance entered into by any person with another person who subsequently became an enemy will be dealt with in accordance with the following paragraphs.

Fire Insurance.

9.

Contracts for the insurance of property against fire entered into by a person interested in such property with another person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy, or on account of the failure during the war and for a period of three months thereafter to perform his obligations under the contract, but they shall be dissolved at the date when the annual premium becomes payable for the first time after the expiration of a period of three months after the coming into force of the present Treaty.

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A settlement shall be effected of unpaid premiums which became due during the war, or of claims for losses which occurred during the war.

10.

Where by administrative or legislative action an insurance against fire effected before the war has been transferred during the war from the original to another insurer, the transfer will be recognised and the liability of the original insurer will be deemed to have ceased as from the date of the transfer. The original insurer will, however, be entitled to receive on demand full information as to the terms of the transfer, and if it should appear that these terms were not equitable they shall be amended so far as may be necessary to render them equitable.

Furthermore, the insured shall, subject to the concurrence of the original insurer, be entitled to retransfer the contract to the original insurer as from the date of the demand.

Life Insurance.

11.

Contracts of life insurance entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy.

Any sum which during the war became due upon a contract deemed not to have been dissolved under the preceding provision shall be recoverable after the war with the addition of interest at five per cent. per annum from the date of its becoming due up to the day of payment.

Where the contract has lapsed during the war owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured or his representatives or the person entitled shall have the right at any time within twelve months of the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance.

Where the contract has lapsed during the war owing to non-payment of premiums the payment of which has been prevented by the enforcement of measures of war, the assured or his representative or the persons entitled shall have the right to restore the contract on payment of the premiums with interest at five per cent. per annum within three months from the coming into force of the present Treaty.

12.

Any Allied or Associated Power may within three months of the coming into force of the present Treaty cancel all the contracts of insurance running between a German insurance company and its nationals under conditions which shall protect its nationals from any prejudice.

To this end the German insurance company will hand over to the Allied or Associated Government concerned the proportion of its

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assets attributable to the policies so cancelled and will be relieved from all liability in respect of such policies. The assets to be handed over shall be determined by an actuary appointed by the Mixed Arbitral Tribunal.

13.

Where contracts of life insurance have been entered into by a local branch of an insurance company established in a country which subsequently became an enemy country, the contract shall, in the absence of any stipulation to the contrary in the contract itself, be governed by the local law, but the insurer shall be entitled to demand from the insured or his representatives the refund of sums paid on claims made or enforced under measures taken during the war, if the making or enforcement of such claims was not in accordance with the terms of the contract itself or was not consistent with the laws or treaties existing at the time when it was entered into.

14.

In any case where by the law applicable to the contract the insurer remains bound by the contract notwithstanding the non-payment of premiums until notice is given to the insured of the termination of the contract, he shall be entitled where the giving of such notice was prevented by the war to recover the unpaid premiums with interest at five per cent. per annum from the insured.

15.

Insurance contracts shall be considered as contracts of life assurance for the purpose of paragraphs 11 to 14 when they depend on the probabilities of human life combined with the rate of interest for the calculation of the reciprocal engagements between the two parties.

Marine Insurance.

16.

Contracts of marine insurance including time policies and voyage policies entered into between an insurer and a person who subsequently became an enemy, shall be deemed to have been dissolved on his becoming an enemy, except in cases where the risk undertaken in the contract had attached before he became an enemy.

Where the risk had not attached, money paid by way of premium or otherwise shall be recoverable from the insurer.

Where the risk had attached effect shall be given to the contract notwithstanding the party becoming an enemy, and sums due under the contract either by way of premiums or in respect of losses shall be recoverable after the coming into force of the present Treaty.

In the event of any agreement being come to for the payment of interest on sums due before the war to or by the nationals of States which have been at war and recovered after the war, such interest shall in the case of losses recoverable under contracts of marine insurance run from the expiration of a period of one year from the date of the loss.

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17.

No contract of marine insurance with an insured person who subsequently became an enemy shall be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the allies or associates of such Power.

18.

Where it is shown that a person who had before the war entered into a contract of marine insurance with an insurer who subsequently became an enemy entered after the outbreak of war into a new contract covering the same risk with an insurer who was not an enemy, the new contract shall be deemed to be substituted for the original contract as from the date when it was entered into, and the premiums payable shall be adjusted on the basis of the original insurer having remained liable on the contract only up till the time when the new contract was entered into.

Other Insurances.

19.

Contracts of insurance entered into before the war between an insurer and a person who subsequently became an enemy, other than contracts dealt with in paragraphs 9 to 18, shall be treated in all respects on the same footing as contracts of fire insurance between the same persons would be dealt with under the said paragraphs.

Re-insurance.

20.

All treaties of re-insurance with a person who became an enemy shall be regarded as having been abrogated by the person becoming an enemy, but without prejudice in the case of life or marine risks which had attached before the war to the right to recover payment after the war for sums due in respect of such risks.

Nevertheless if, owing to invasion, it has been impossible for the re-insured to find another re-insurer, the treaty shall remain in force until three months after the coming into force of the present Treaty.

Where a re-insurance treaty becomes void under this paragraph, there shall be an adjustment of accounts between the parties in respect both of premiums paid and payable and of liabilities for losses in respect of life or marine risks which had attached before the war. In the case of risks other than those mentioned in paragraphs 11 to 18 the adjustment of accounts shall be made as at the date of the parties becoming enemies without regard to claims for losses which may have occurred since that date.

21.

The provisions of the preceding paragraph will extend equally to re-insurances existing at the date of the parties becoming enemies

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of particular risks undertaken by the insurer in a contract of insurance against any risks other than life or marine risks.

22.

Re-insurance of life risks effected by particular contracts and not under any general treaty remain in force.

The provisions of paragraph 12 apply to treaties of re-insurance of life insurance contracts in which enemy companies are the re-insurers.

23.

In case of a re-insurance effected before the war of a contract of marine insurance, the cession of a risk which had been ceded to the re-insurer shall, if it had attached before the outbreak of war, remain valid and effect be given to the contract notwithstanding the outbreak of war; sums due under the contract of re-insurance in respect either of premiums or of losses shall be recoverable after the war.

24.

The provisions of paragraphs 17 and 18 and the last part of paragraph 16 shall apply to contracts for the re-insurance of marine risks.

Section VI.

MIXED ARBITRAL TRIBUNAL.

Article 304.

(*a*) Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Germany on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations, or, until this is set up, by M. Gustave Ador if he is willing. These persons shall be nationals of Powers that have remained neutral during the war.

If any Government does not proceed within a period of one month in case there is a vacancy to appoint a member of the Tribunal, such member shall be chosen by the other Government from the two persons mentioned above other than the President.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

(*b*) The Mixed Arbitral Tribunals established pursuant to paragraph (*a*), shall decide all questions within their competence under Sections III, IV, V and VII.

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In addition, all questions, whatsoever their nature, relating to contracts concluded before the coming into force of the present Treaty between nationals of the Allied and Associated Powers and German nationals shall be decided by the Mixed Arbitral Tribunal, always excepting questions which, under the laws of the Allied, Associated or Neutral Powers, are within the jurisdiction of the National Courts of those Powers. Such questions shall be decided by the National Courts in question, to the exclusion of the Mixed Arbitral Tribunal. The party who is a national of an Allied or Associated Power may nevertheless bring the case before the Mixed Arbitral Tribunal if this is not prohibited by the laws of his country.

(*c*) If the number of cases justifies it, additional members shall be appointed and each Mixed Arbitral Tribunal shall sit in divisions. Each of these divisions will be constituted as above.

(*d*) Each Mixed Arbitral Tribunal will settle its own procedure except in so far as it is provided in the following Annex, and is empowered to award the sums to be paid by the loser in respect of the costs and expenses of the proceedings.

(*e*) Each Government will pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

(*f*) The High Contracting Parties agree that their courts and authorities shall render to the Mixed Arbitral Tribunals direct all the assistance in their power, particularly as regards transmitting notices and collecting evidence.

(*g*) The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

ANNEX.

1.

Should one of the members of theTribunal either die, retire, or be unable for any reason whatever to discharge his function, the same procedure will be followed for filling the vacanacy as was followed for appointing him.

2.

The Tribunal may adopt such rules of procedure as shall be in accordance with justice and equity and decide the order and time at which each party must conclude its arguments, and may arrange all formalities required for dealing with the evidence.

3.

The agent and counsel of the parties on each side are authorized to present orally and in writing to the Tribunal arguments in support or in defence of each case.

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4.

The Tribunal shall keep record of the questions and cases submitted and the proceedings thereon, with the dates of such proceedings.

5.

Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers to assist in the performance of its duties.

6.

The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

7.

Germany agrees to give the Tribunal all facilities and information required by it for carrying out its investigations.

8.

The language in which the proceedings shall be conducted shall, unless otherwise agreed, be English, French, Italian or Japanese, as may be determined by the Allied or Associated Power concerned.

9.

The place and time for the meetings of each Tribunal shall be determined by the President of the Tribunal.

ARTICLE 305.

Whenever a competent court has given or gives a decision in a case covered by Sections III, IV, V or VII, and such decision is inconsistent with the provisions of such Sections, the party who is prejudiced by the decision shall be entitled to obtain redress which shall be fixed by the Mixed Arbitral Tribunal. At the request of the national of an Allied or Associated Power, the redress may, whenever possible, be effected by the Mixed Arbitral Tribunal directing the replacement of the parties in the position occupied by them before the judgment was given by the German court.

SECTION VII.

INDUSTRIAL PROPERTY.

ARTICLE 306.

Subject to the stipulations of the present Treaty, rights of industrial, literary and artistic property, as such property is defined

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by the International Conventions of Paris and of Berne, mentioned in Article 286, shall be re-established or restored, as from the coming into force of the present Treaty, in the territories of the High Contracting Parties, in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto, from the coming into force of the present Treaty.

Nevertheless, all acts done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied or Associated Power in regard to the rights of German nationals in industrial, literary or artistic property shall remain in force and shall continue to maintain their full effect.

No claim shall be made or action brought by Germany or German nationals in respect of the use during the war by the Government of any Allied or Associated Power, or by any persons acting on behalf or with the assent of such Government, of any rights in industrial, literary or artistic property, nor in respect of the sale, offering for sale, or use of any products, articles or apparatus whatsoever to which such rights applied.

Unless the legislation of any one of the Allied or Associated Powers in force at the moment of the signature of the present Treaty otherwise directs, sums due or paid in virtue of any act or operation resulting from the execution of the special measures mentioned in paragraph I of this Article shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty; and sums produced by any special measures taken by the German Government in respect of rights in industrial, literary or artistic property belonging to the nationals of the Allied or Associated Powers shall be considered and treated in the same way as other debts due from German nationals.

Each of the Allied and Associated Powers reserves to itself the right to impose such limitations, conditions or restrictions on rights of industrial, literary or artistic property (with the exception of trade-marks) acquired before or during the war, or which may be subsequently acquired in accordance with its legislation, by German nationals, whether by granting licences, or by the working, or by preserving control over their exploitation, or in any other way, as may be considered necessary for national defence, or in the public interest, or for assuring the fair treatment by Germany of the rights of industrial, literary and artistic property held in German territory by its nationals, or for securing the due fulfilment of all the obligations undertaken by Germany in the present Treaty. As regards rights of industrial, literary and artistic property acquired after the coming into force of the present Treaty, the right so reserved by the Allied and Associated Powers shall only be exercised in cases where these limitations, conditions or restrictions may be considered necessary for national defence or in the public interest.

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid

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reasonable indemnities or royalties, which shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty.

Each of the Allied or Associated Powers reserves the right to treat as void and of no effect any transfer in whole or in part of or other dealing with rights of or in respect of industrial, literary or artistic property effected after August 1, 1914, or in the future, which would have the result of defeating the objects of the provisions of this Article.

The provisions of this Article shall not apply to rights in industrial, literary or artistic property which have been dealt with in the liquidation of businesses or companies under war legislation by the Allied or Associated Powers, or which may be so dealt with by virtue of Article 297, paragraph (*b*).

ARTICLE 307.

A minimum of one year after the coming into force of the present Treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the obtaining, preserving, or opposing rights to, or in respect of, industrial property either acquired before August 1, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this Article shall give any right to reopen interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition of such conditions as each Allied or Associated Power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to German nationals are revived under this Article, they shall be subject in respect of the grant of licences to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present Treaty.

The period from August 1, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade mark or design used, and it is further agreed that no patent, registered trade mark or design in force on August 1, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade mark or design for two years after the coming into force of the present Treaty.

ARTICLE 308.

The rights of priority, provided by Article 4 of the International Convention for the Protection of Industrial Property of Paris, of

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March 20, 1883, revised at Washington in 1911 or by any other Convention or Statute, for the filing or registration of applications for patents or models of utility, and for the registration of trade marks, designs and models which had not expired on August 1, 1914, and those which have arisen during the war, or would have arisen but for the war, shall be extended by each of the High Contracting Parties in favour of all nationals of the other High Contracting Parties for a period of six months after the coming into force of the present Treaty.

Nevertheless, such extension shall in no way affect the right of any of the High Contracting Parties or of any person who before the coming into force of the present Treaty was *bonâ fide* in possession of any rights of industrial property conflicting with rights applied for by another who claims rights of priority in respect of them, to exercise such rights by itself or himself personally, or by such agents or licensees as derived their rights from it or him before the coming into force of the present Treaty; and such persons shall not be amenable to any action or other process of law in respect of infringement.

ARTICLE 309.

No action shall be brought and no claim made by persons residing or carrying on business within the territories of Germany on the one part and of the Allied or Associated Powers on the other, or persons who are nationals of such Powers respectively, or by any one deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the declaration of war and that of the coming into force of the present Treaty, which might constitute an infringement of the rights of industrial property or rights of literary and artistic property, either existing at any time during the war or revived under the provisions of Articles 307 and 308.

Equally, no action for infringement of industrial, literary or artistic property rights by such persons shall at any time be permissible in respect of the sale or offering for sale for a period of one year after the signature of the present Treaty in the territories of the Allied or Associated Powers on the one hand or Germany on the other, of products or articles manufactured, or of literary or artistic works published, during the period between the declaration of war and the signature of the present Treaty, or against those who have acquired and continue to use them. It is understood, nevertheless, that this provision shall not apply when the possessor of the rights was domiciled or had an industrial or commercial establishment in the districts occupied by Germany during the war.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 310.

Licences in respect of industrial, literary or artistic property concluded before the war between nationals of the Allied or Associated Powers or persons residing in their territory or carrying on business therein, on the one part, and German nationals, on the other part, shall be considered as cancelled as from the date of the dec-

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laration of war between Germany and the Allied or Associated Power. But, in any case, the former beneficiary of a contract of this kind shall have the right, within a period of six months after the coming into force of the present Treaty, to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the duly qualified tribunal in the country under whose legislation the rights had been acquired, except in the case of licences held in respect of rights acquired under German law. In such cases the conditions shall be fixed by the Mixed Arbitral Tribunal referred to in Section VI of this Part. The tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

No licence in respect of industrial, literary or artistic property, granted under the special war legislation of any Allied or Associated Power, shall be affected by the continued existence of any licence entered into before the war, but shall remain valid and of full effect, and a licence so granted to the former beneficiary of a licence entered into before the war shall be considered as substituted for such licence.

Where sums have been paid during the war by virtue of a licence or agreement concluded before the war in respect of rights of industrial property or for the reproduction or the representation of literary, dramatic or artistic works, these sums shall be dealt with in the same manner as other debts or credits of German nationals, as provided by the present Treaty.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

Article 311.

The inhabitants of territories separated from Germany by virtue of the present Treaty shall, notwithstanding this separation and the change of nationality consequent thereon, continue to enjoy in Germany all the rights in industrial, literary and artistic property to which they were entitled under German legislation at the time of the separation.

Rights of industrial, literary and artistic property which are in force in the territories separated from Germany under the present Treaty at the moment of the separation of these territories from Gemany, or which will be re-established or restored in accordance with the provisions of Article 306 of the present Treaty, shall be recognized by the State to which the said territory is transferred and shall remain in force in that territory for the same period of time given them under the German law.

Section VIII.

SOCIAL AND STATE INSURANCE IN CEDED TERRITORY.

Article 312.

Without prejudice to the provisions contained in other Articles of the present Treaty, the German Government undertakes to transfer

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to any Power to which German territory in Europe is ceded, and to any Power administering former German territory as a mandatory under Article 22 of Part I (League of Nations), such portion of the reserves accumulated by the Government of the German Empire or of German States, or by public or private organisations under their control, as is attributable to the carrying on of Social or State Insurance in such territory.

The Powers to which these funds are transferred must apply them to the performance of the obligations arising from such insurances.

The conditions of the transfer will be determined by special conventions to be concluded between the German Government and the Governments concerned.

In case these special conventions are not concluded in accordance with the above paragraph within three months after the coming into force of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the German Government, one by the other interested Government and three by the Governing Body of the International Labour Office from the nationals of other States. This Commission shall by majority vote within three months after appointment adopt recommendations for submission to the Council of the League of Nations, and the decisions of the Council shall forthwith be accepted as final by Germany and the other Government concerned.

PART XI.

AERIAL NAVIGATION.

Article 313.

The aircraft of the Allied and Associated Powers shall have full liberty of passage and landing over and in the territory and territorial waters of Germany, and shall enjoy the same privileges as German aircraft, particularly in case of distress by land or sea.

Article 314.

The aircraft of the Allied and Associated Powers shall, while in transit to any foreign country whatever, enjoy the right of flying over the territory and territorial waters of Germany without landing, subject always to any regulations which may be made by Germany, and which shall be applicable equally to the aircraft of Germany and to those of the Allied and Associated countries.

Article 315.

All aerodromes in Germany open to national public traffic shall be open for the aircraft of the Allied and Associated Powers, and in any such aerodrome such aircraft shall be treated on a footing of equality with German aircraft as regards charges of every description, including charges for landing and accommodation.

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ARTICLE 316.

Subject to the present provisions, the rights of passage, transit and landing, provided for in Articles 313, 314 and 315, are subject to the observance of such regulations as Germany may consider it necessary to enact, but such regulations shall be applied without distinction to German aircraft and to those of the Allied and Associated countries.

ARTICLE 317.

Certificates of nationality, airworthiness, or competency, and licences, issued or recognised as valid by any of the Allied or Associated Powers, shall be recognised in Germany as valid and as equivalent to the certificates and licences issued by Germany.

ARTICLE 318.

As regards internal commercial air traffic, the aircraft of the Allied and Associated Powers shall enjoy in Germany most favoured nation treatment.

ARTICLE 319.

Germany undertakes to enforce the necessary measures to ensure that all German aircraft flying over her territory shall comply with the Rules as to lights and signals, Rules of the Air and Rules for Air Traffic on and in the neighbourhood of aerodromes, which have been laid down in the Convention relative to Aerial Navigation concluded between the Allied and Associated Powers.

ARTICLE 320.

The obligations imposed by the preceding provisions shall remain in force until January 1, 1923, unless before that date Germany shall have been admitted into the League of Nations or shall have been authorised, by consent of the Allied and Associated Powers, to adhere to the Convention relative to Aerial Navigation concluded between those Powers.

PART XII.

PORTS, WATERWAYS AND RAILWAYS.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 321.

Germany undertakes to grant freedom of transit through her territories on the routes most convenient for international transit, either by rail, navigable waterway, or canal, to persons, goods, vessels, carriages, wagons and mails coming from or going to the territories of any of the Allied and Associated Powers (whether contigu-

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ous or not); for this purpose the crossing of territorial waters shall be allowed. Such persons, goods, vessels, carriages, wagons and mails shall not be subjected to any transit duty or to any undue delays or restrictions, and shall be entitled in Germany to national treatment as regards charges, facilities, and all other matters.

Goods in transit shall be exempt from all Customs or other similar duties.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic. No charge, facility or restriction shall depend directly or indirectly on the ownership or on the nationality of the ship or other means of transport on which any part of the through journey has been, or is to be, accomplished.

ARTICLE 322.

Germany undertakes neither to impose nor to maintain any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are *bonâ fide* in transit; nor to allow any shipping company or any other private body, corporation or person interested in the traffic to take any part whatever in, or to exercise any direct or indirect influence over, any administrative service that may be necessary for this purpose.

ARTICLE 323.

Germany undertakes to make no discrimination or preference, direct or indirect, in the duties, charges and prohibitions relating to importations into or exportations from her territories, or, subject to the special engagements contained in the present Treaty, in the charges and conditions of transport of goods or persons entering or leaving her territories, based on the frontier crossed; or on the kind, ownership or flag of the means of transport (including aircraft) employed; or on the original or immediate place of departure of the vessel, wagon or aircraft or other means of transport employed, or its ultimate or intermediate destination; or on the route of or places of trans-shipment on the journey; or on whether any port through which the goods are imported or exported is a German port or a port belonging to any foreign country or on whether the goods are imported or exported by sea, by land or by air.

Germany particularly undertakes not to establish against the ports and vessels of any of the Allied and Associated Powers any surtax or any direct or indirect bounty for export or import by German ports or vessels, or by those of another Power, for example by means of combined tariffs. She further undertakes that persons or goods passing through a port or using a vessel of any of the Allied and Associated Powers shall not be subjected to any formality or delay whatever to which such persons or goods would not be subjected if they passed through a German port or a port of any other Power, or used a German vessel or a vessel of any other Power.

ARTICLE 324.

All necessary administrative and technical measures shall be taken to shorten, as much as possible, the transmission of goods across the

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German frontiers and to ensure their forwarding and transport from such frontiers, irrespective of whether such goods are coming from or going to the territories of the Allied and Associated Powers or are in transit from or to those territories, under the same material conditions in such matters as rapidity of carriage and care *en route* as are enjoyed by other goods of the same kind carried on German territory under similar conditions of transport.

In particular, the transport of perishable goods shall be promptly and regularly carried out, and the customs formalities shall be effected in such a way as to allow the goods to be carried straight through by trains which make connection.

ARTICLE 325.

The seaports of the Allied and Associated Powers are entitled to all favours and to all reduced tariffs granted on German railways or navigable waterways for the benefit of German ports or of any port of another Power.

ARTICLE 326.

Germany may not refuse to participate in the tariffs or combinations of tariffs intended to secure for ports of any of the Allied and Associated Powers advantages similar to those granted by Germany to her own ports or the ports of any other Power.

SECTION II.

NAVIGATION.

CHAPTER I.

FREEDOM OF NAVIGATION.

ARTICLE 327.

The nationals of any of the Allied and Associated Powers as well as their vessels and property shall enjoy in all German ports and on the inland navigation routes of Germany the same treatment in all respects as German nationals, vessels and property.

In particular the vessels of any one of the Allied or Associated Powers shall be entitled to transport goods of any description, and passengers, to or from any ports or places in German territory to which German vessels may have access, under conditions which shall not be more onerous than those applied in the case of national vessels; they shall be treated on a footing of equality with national vessels as regards port and harbour facilities and charges of every description, including facilities for stationing, loading and unloading, and duties and charges of tonnage, harbour, pilotage, lighthouse, quarantine, and all analogous duties and charges of whatsoever nature, levied in the name of or for the profit of the Govern-

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ment, public functionaries, private individuals, corporations or establishments of any kind.

In the event of Germany granting a preferential régime to any of the Allied or Associated Powers or to any other foreign Power, this régime shall be extended immediately and unconditionally to all the Allied and Associated Powers.

There shall be no impediment to the movement of persons or vessels other than those arising from prescriptions concerning customs, police, sanitation, emigration and immigration, and those relating to the import and export of prohibited goods. Such regulations must be reasonable and uniform and must not impede traffic unnecessarily.

Chapter II.

free zones in ports.

Article 328.

The free zones existing in German ports on August 1, 1914, shall be maintained. These free zones, and any other free zones which may be established in German territory by the present Treaty, shall be subject to the régime provided for in the following Articles.

Goods entering or leaving a free zone shall not be subjected to any import or export duty, other than those provided for in Article 330.

Vessels and goods entering a free zone may be subjected to the charges established to cover expenses of administration, upkeep and improvement of the port, as well as to the charges for the use of various installations, provided that these charges shall be reasonable having regard to the expenditure incurred, and shall be levied in the conditions of equality provided for in Article 327.

Goods shall not be subjected to any other charge except a statistical duty which shall not exceed 1 per mille *ad valorem*, and which shall be devoted exclusively to defraying the expenses of compiling statements of the traffic in the port.

Article 329.

The facilities granted for the erection of warehouses, for packing and for unpacking goods, shall be in accordance with trade requirements for the time being. All goods allowed to be consumed in the free zone shall be exempt from duty, whether of excise or of any other description, apart from the statistical duty provided for in Article 328 above.

There shall be no discrimination in regard to any of the provisions of the present Article between persons belonging to different nationalities or between goods of different origin or destination.

Article 330.

Import duties may be levied on goods leaving the free zone for consumption in the country on the territory of which the port is situated. Conversely, export duties may be levied on goods com-

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ing from such country and brought into the free zone. These import and export duties shall be levied on the same basis and at the same rates as similar duties levied at the other Customs frontiers of the country concerned. On the other hand, Germany shall not levy, under any denomination, any import, export or transit duty on goods carried by land or water across her territory to or from the free zone from or to any other State.

Germany shall draw up the necessary regulations to secure and guarantee such freedom of transit over such railways and waterways in her territory as normally give access to the free zone.

Chapter III.

Clauses relating to the Elbe, the Oder, the Niemen (Russstrom-Memel-Niemen) and the Danube.

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(1)—*General Clauses.*

Article 331.

The following rivers are declared international:

the Elbe (*Labe*) from its confluence with the Vltava (*Moldau*), and the Vltava (*Moldau*) from Prague;
the Oder (*Odra*) from its confluence with the Oppa;
the Niemen (*Russstrom-Memel-Niemen*) from Grodno;
the Danube from Ulm;

and all navigable parts of these river systems which naturally provide more than one State with access to the sea, with or without transhipment from one vessel to another; together with lateral canals and channels constructed either to duplicate or to improve naturally navigable sections of the specified river systems, or to connect two naturally navigable sections of the same river.

The same shall apply to the Rhine-Danube navigable waterway, should such a waterway be constructed under the conditions laid down in Article 353.

Article 332.

On the waterways declared to be international in the preceding Article, the nationals, property and flags of all Powers shall be treated on a footing of perfect equality, no distinction being made to the detriment of the nationals, property or flag of any Power between them and the nationals, property or flag of the riparian State itself or of the most favoured nation.

Nevertheless, German vessels shall not be entitled to carry passengers or goods by regular services between the ports of any Allied or Associated Power, without special authority from such Power.

Article 333.

Where such charges are not precluded by any existing conventions, charges varying on different sections of a river may be levied

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on vessels using the navigable channels or their approaches, provided that they are intended solely to cover equitably the cost of maintaining in a navigable condition, or of improving, the river and its approaches, or to meet expenditure incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenditure and shall be posted up in the ports. These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in cases of suspected fraud or contravention.

ARTICLE 334.

The transit of vessels, passengers and goods on these waterways shall be effected in accordance with the general conditions prescribed for transit in Section I above.

When the two banks of an international river are within the same State goods in transit may be placed under seal or in the custody of customs agents. When the river forms a frontier goods and passengers in transit shall be exempt from all customs formalities; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by the riparian State.

ARTICLE 335.

No dues of any kind other than those provided for in the present Part shall be levied along the course or at the mouth of these rivers.

This provision shall not prevent the fixing by the riparian States of customs, local octroi or consumption duties, or the creation of reasonable and uniform charges levied in the ports, in accordance with public tariffs, for the use of cranes, elevators, quays, warehouses, etc.

ARTICLE 336.

In default of any special organisation for carrying out the works connected with the upkeep and improvement of the international portion of a navigable system, each riparian State shall be bound to take suitable measures to remove any obstacle or danger to navigation and to ensure the maintenance of good conditions of navigation.

If a State neglects to comply with this obligation any riparian State, or any State represented on the International Commission, if there is one, may appeal to the tribunal instituted for this purpose by the League of Nations.

ARTICLE 337.

The same procedure shall be followed in the case of a riparian State undertaking any works of a nature to impede navigation in the international section. The tribunal mentioned in the preceding Article shall be entitled to enforce the suspension or suppression of such works, making due allowance in its decisions for all rights in connection with irrigation, water-power, fisheries, and other national

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interests, which, with the consent of all the riparian States or of all the States represented on the International Commission, if there is one, shall be given priority over the requirements of navigation.

Appeal to the tribunal of the League of Nations does not require the suspension of the works.

ARTICLE 338.

The régime set out in Articles 332 to 337 above shall be superseded by one to be laid down in a General Convention drawn up by the Allied and Associated Powers, and approved by the League of Nations, relating to the waterways recognised in such Convention as having an international character. This Convention shall apply in particular to the whole or part of the above-mentioned river systems of the Elbe (*Labe*), the Oder (*Odra*), the Niemen (*Russstrom-Memel-Niemen*), and the Danube, and such other parts of these river systems as may be covered by a general definition.

Germany undertakes, in accordance with the provisions of Article 379, to adhere to the said General Convention as well as to all projects prepared in accordance with Article 343 below for the revision of existing international agreements and regulations.

ARTICLE 339.

Germany shall cede to the Allied and Associated Powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river systems referred to in Article 331 after the deduction of those surrendered by way of restitution or reparation. Germany shall in the same way cede material of all kinds necessary to the Allied and Associated Powers concerned for the utilisation of those river systems.

The number of the tugs and boats, and the amount of the material so ceded, and their distribution, shall be determined by an arbitrator or arbitrators nominated by the United States of America, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

All craft so ceded shall be provided with their fittings and gear, shall be in a good state of repair and in condition to carry goods, and shall be selected from among those most recently built.

The cessions provided for in the present Article shall entail a credit of which the total amount, settled in a lump sum by the arbitrator or arbitrators, shall not in any case exceed the value of the capital expended in the initial establishment of the material ceded, and shall be set off against the total sums due from Germany; in consequence, the indemnification of the proprietors shall be a matter for Germany to deal with.

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(2) *Special Clauses relating to the Elbe, the Oder and the Niemen (Russstrom-Memel-Niemen).*

ARTICLE 340.

The Elbe (*Labe*) shall be placed under the administration of an International Commission which shall comprise:

4 representatives of the German States bordering on the river;
2 representatives of the Czecho-Slovak State;
1 representative of Great Britain;
1 representative of France;
1 representative of Italy;
1 representative of Belgium.

Whatever be the number of members present, each delegation shall have the right to record a number of votes equal to the number of representatives allotted to it.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 341.

The Oder (*Odra*) shall be placed under the administration of an International Commission, which shall comprise:

1 representative of Poland;
3 representatives of Prussia;
1 representative of the Czecho-Slovak State;
1 representative of Great Britain;
1 representative of France;
1 representative of Denmark;
1 representative of Sweden.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 342.

On a request being made to the League of Nations by any riparian State, the Niemen (*Russstrom-Memel-Niemen*) shall be placed under the administration of an International Commission, which shall comprise one representative of each riparian State, and three representatives of other States specified by the League of Nations.

ARTICLE 343.

The International Commissions referred to in Articles 340 and 341 shall meet within three months of the date of the coming into force of the present Treaty. The International Commission referred to in Article 342 shall meet within three months from the date of the request made by a riparian State. Each of these Commissions shall proceed immediately to prepare a project for the revision of the existing international agreements and regulations, drawn up in conformity with the General Convention referred to in Article 338, should such Convention have been already concluded. In the absence of such Convention, the project for revision shall be in conformity with the principles of Articles 332 to 337 above.

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ARTICLE 344.

The projects referred to in the preceding Article shall, *inter alia*:

(*a*) designate the headquarters of the International Commission, and prescribe the manner in which its President is to be nominated;

(*b*) specify the extent of the Commission's powers, particularly in regard to the execution of works of maintenance, control, and improvement on the river system, the financial régime, the fixing and collection of charges, and regulations for navigation;

(*c*) define the sections of the river or its tributaries to which the international régime shall be applied.

ARTICLE 345.

The international agreements and regulations at present governing the navigation of the Elbe (*Labe*), the Oder (*Odra*), and the Niemen (*Russstrom-Memel-Niemen*) shall be provisionally maintained in force until the ratification of the above-mentioned projects. Nevertheless, in all cases where such agreements and regulations in force are in conflict with the provisions of Articles 332 to 337 above, or of the General Convention to be concluded, the latter provisions shall prevail.

(3) *Special Clauses relating to the Danube.*

ARTICLE 346.

The European Commission of the Danube reassumes the powers it possessed before the war. Nevertheless, as a provisional measure, only representatives of Great Britain, France, Italy and Roumania shall constitute this Commission.

ARTICLE 347.

From the point where the competence of the European Commission ceases, the Danube system referred to in Article 331 shall be placed under the administration of an International Commission composed as follows:

2 representatives of German riparian States;

1 representative of each other riparian State;

1 representative of each non-riparian State represented in the future on the European Commission of the Danube.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 348.

The International Commission provided for in the preceding Article shall meet as soon as possible after the coming into force of the present Treaty, and shall undertake provisionally the administration of the river in conformity with the provisions of Articles 332 to 337, until such time as a definitive statute regarding the Danube is concluded by the Powers nominated by the Allied and Associated Powers.

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ARTICLE 349.

Germany agrees to accept the régime which shall be laid down for the Danube by a Conference of the Powers nominated by the Allied and Associated Powers, which shall meet within one year after the coming into force of the present Treaty, and at which German representatives may be present.

ARTICLE 350.

The mandate given by Article 57 of the Treaty of Berlin of July 13, 1878, to Austria-Hungary, and transferred by her to Hungary, to carry out works at the Iron Gates, is abrogated. The Commission entrusted with the administration of this part of the river shall lay down provisions for the settlement of accounts subject to the financial provisions of the present Treaty. Charges which may be necessary shall in no case be levied by Hungary.

ARTICLE 351.

Should the Czecho-Slovak State, the Serb-Croat-Slovene State or Roumania, with the authorisation of or under mandate from the International Commission, undertake maintenance, improvement, weir, or other works on a part of the river system which forms a frontier, these States shall enjoy on the opposite bank, and also on the part of the bed which is outside their territory, all necessary facilities for the survey, execution and maintenance of such works.

ARTICLE 352.

Germany shall be obliged to make to the European Commission of the Danube all restitutions, reparations and indemnities for damages inflicted on the Commission during the war.

ARTICLE 353.

Should a deep-draught Rhine-Danube navigable waterway be constructed, Germany undertakes to apply thereto the régime prescribed in Articles 332 to 338.

CHAPTER IV.

CLAUSES RELATING TO THE RHINE AND THE MOSELLE.

ARTICLE 354.

As from the coming into force of the present Treaty, the Convention of Mannheim of October 17, 1868, together with the Final Protocol thereof, shall continue to govern navigation on the Rhine, subject to the conditions hereinafter laid down.

In the event of any provisions of the said Convention being in conflict with those laid down by the General Convention referred to in Article 338 (which shall apply to the Rhine) the provisions of the General Convention shall prevail.

Within a maximum period of six months from the coming into force of the present Treaty, the Central Commission referred to in

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Article 355 shall meet to draw up a project of revision of the Convention of Mannheim. This project shall be drawn up in harmony with the provisions of the General Convention referred to above, should this have been concluded by that time, and shall be submitted to the Powers represented on the Central Commission. Germany hereby agrees to adhere to the project so drawn up.

Further, the modifications set out in the following Articles shall immediately be made in the Convention of Mannheim.

The Allied and Associated Powers reserve to themselves the right to arrive at an understanding in this connection with Holland, and Germany hereby agrees to acceed if required to any such understanding.

ARTICLE 355.

The Central Commission provided for in the Convention of Mannheim shall consist of nineteen members, viz.:

2 representatives of the Netherlands;
2 representatives of Switzerland;
4 representatives of German riparian States;
4 representatives of France, which in addition shall appoint the President of the Commission;
2 representatives of Great Britain;
2 representatives of Italy;
2 representatives of Belgium.

The headquarters of the Central Commission shall be at Strasburg.

Whatever be the number of members present, each Delegation shall have the right to record a number of votes equal to the number of representatives allotted to it.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 356.

Vessels of all nations, and their cargoes, shall have the same rights and privileges as those which are granted to vessels belonging to the Rhine navigation, and to their cargoes.

None of the provisions contained in Articles 15 to 20 and 26 of the above-mentioned Convention of Mannheim, in Article 4 of the Final Protocol thereof, or in later Conventions, shall impede the free navigation of vessels and crews of all nations on the Rhine and on waterways to which such Conventions apply, subject to compliance with the regulations concerning pilotage and other police measures drawn up by the Central Commission.

The provisions of Article 22 of the Convention of Mannheim and of Article 5 of the Final Protocol thereof shall be applied only to vessels registered on the Rhine. The Central Commission shall decide on the steps to be taken to ensure that other vessels satisfy the conditions of the general regulations applying to navigation on the Rhine.

ARTICLE 357.

Within a maximum period of three months from the date on which notification shall be given Germany shall cede to France tugs and

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vessels, from among those remaining registered in German Rhine ports after the deduction of those surrendered by way of restitution or reparation, or shares in German Rhine navigation companies.

When vessels and tugs are ceded, such vessels and tugs, together with their fittings and gear, shall be in good state of repair, shall be in condition to carry on commercial traffic on the Rhine, and shall be selected from among those most recently built.

The same procedure shall be followed in the matter of the cession by Germany to France of:

(1) the installations, berthing and anchorage accommodation, platforms, docks, warehouses, plant, etc., which German subjects or German companies owned on August 1, 1914, in the port of Rotterdam, and

(2) the shares or interests which Germany or German nationals possessed in such installations at the same date.

The amount and specifications of such cessions shall be determined within one year of the coming into force of the present Treaty by an arbitrator or arbitrators appointed by the United States of America, due regard being had to the legitimate needs of the parties concerned.

The cessions provided for in the present Article shall entail a credit of which the total amount, settled in a lump sum by the arbitrator or arbitrators mentioned above, shall not in any case exceed the value of the capital expended in the initial establishment of the ceded material and installations, and shall be set off against the total sums due from Germany; in consequence, the indemnification of the proprietors shall be a matter for Germany to deal with.

ARTICLE 358.

Subject to the obligation to comply with the provisions of the Convention of Mannheim or of the Convention which may be substituted therefor, and to the stipulations of the present Treaty, France shall have on the whole course of the Rhine included between the two extreme points of the French frontiers:

(*a*) the right to take water from the Rhine to feed navigation and irrigation canals (constructed or to be constructed) or for any other purpose, and to execute on the German bank all works necessary for the exercise of this right;

(*b*) the exclusive right to the power derived from works of regulation on the river, subject to the payment to Germany of the value of half the power actually produced, this payment, which will take into account the cost of the works necessary for producing the power, being made either in money or in power and in default of agreement being determined by arbitration. For this purpose France alone shall have the right to carry out in this part of the river all works of regulation (weirs or other works) which she may consider necessary for the production of power. Similarly, the right of taking water from the Rhine is accorded to Belgium to feed the Rhine-Meuse navigable waterway provided for below.

The exercise of the rights mentioned under (*a*) and (*b*) of the present Article shall not interfere with navigability nor reduce the facilities for navigation, either in the bed of the Rhine or in the

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derivations which may be substituted therefor, nor shall it involve any increase in the tolls formerly levied under the Convention in force. All proposed schemes shall be laid before the Central Commission in order that that Commission may assure itself that these conditions are complied with.

To ensure the proper and faithful execution of the provisions contained in (*a*) and (*b*) above, Germany:

(1) binds herself not to undertake or to allow the construction of any lateral canal or any derivation on the right bank of the river opposite the French frontiers;

(2) recognises the possession by France of the right of support on and the right of way over all lands situated on the right bank which may be required in order to survey, to build, and to operate weirs which France, with the consent of the Central Commission, may subsequently decide to establish. In accordance with such consent, France shall be entitled to decide upon and fix the limits of the necessary sites, and she shall be permitted to occupy such lands after a period of two months after simple notification, subject to the payment by her to Germany of indemnities of which the total amount shall be fixed by the Central Commission. Germany shall make it her business to indemnify the proprietors whose property will be burdened with such servitudes or permanently occupied by the works.

Should Switzerland so demand, and if the Central Commission approves, the same rights shall be accorded to Switzerland for the part of the river forming her frontier with other riparian States;

(3) shall hand over to the French Government, during the month following the coming into force of the present Treaty, all projects, designs, drafts of concessions and of specifications concerning the regulation of the Rhine for any purpose whatever which have been drawn up or received by the Governments of Alsace-Lorraine or of the Grand Duchy of Baden.

ARTICLE 359.

Subject to the preceding provisions, no works shall be carried out in the bed or on either bank of the Rhine where it forms the boundary of France and Germany without the previous approval of the Central Commission or of its agents.

ARTICLE 360.

France reserves the option of substituting herself as regards the rights and obligations resulting from agreements arrived at between the Government of Alsace-Lorraine and the Grand Duchy of Baden concerning the works to be carried out on the Rhine; she may also denounce such agreements within a term of five years dating from the coming into force of the present Treaty.

France shall also have the option of causing works to be carried out which may be recognised as necessary by the Central Commission for the upkeep or improvement of the navigability of the Rhine above Mannheim.

ARTICLE 361.

Should Belgium within a period of 25 years from the coming into force of the present Treaty decide to create a deep-draught Rhine-

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Meuse navigable waterway, in the region of Ruhrort, Germany shall be bound to construct, in accordance with plans to be communicated to her by the Belgian Government, after agreement with the Central Commission, the portion of this navigable waterway situated within her territory.

The Belgian Government shall, for this purpose, have the right to carry out on the ground all necessary surveys.

Should Germany fail to carry out all or part of these works, the Central Commission shall be entitled to carry them out instead; and, for this purpose, the Commission may decide upon and fix the limits of the necessary sites and occupy the ground after a period of two months after simple notification, subject to the payment of indemnities to be fixed by it and paid by Germany.

This navigable waterway shall be placed under the same administrative régime as the Rhine itself, and the division of the cost of initial construction, including the above indemnities, among the States crossed thereby shall be made by the Central Commission.

Article 362.

Germany hereby agrees to offer no objection to any proposals of the Central Rhine Commission for extending its jurisdiction:

(1) to the Moselle below the Franco-Luxemburg frontier down to the Rhine, subject to the consent of Luxemburg;

(2) to the Rhine above Basle up to the Lake of Constance, subject to the consent of Switzerland;

(3) to the lateral canals and channels which may be established either to duplicate or to improve naturally navigable sections of the Rhine or the Moselle, or to connect two naturally navigable sections of these rivers, and also any other parts of the Rhine river system which may be covered by the General Convention provided for in Article 338 above.

Chapter V.

Clauses giving to the Czecho-Slovak State the use of Northern ports.

Article 363.

In the ports of Hamburg and Stettin Germany shall lease to the Czecho-Slovak State, for a period of 99 years, areas which shall be placed under the general régime of free zones and shall be used for the direct transit of goods coming from or going to that State.

Article 364.

The delimitation of these areas, and their equipment, their exploitation, and in general all conditions for their utilisation, including the amount of the rental, shall be decided by a Commission consisting of one delegate of Germany, one delegate of the Czecho-Slovak State and one delegate of Great Britain. These conditions shall be susceptible of revision every ten years in the same manner.

Germany declares in advance that she will adhere to the decisions so taken.

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SECTION III.

RAILWAYS.

CHAPTER I.

CLAUSES RELATING TO INTERNATIONAL TRANSPORT.

ARTICLE 365.

Goods coming from the territories of the Allied and Associated Powers, and going to Germany, or in transit through Germany from or to the territories of the Allied and Associated Powers, shall enjoy on the German railways as regards charges to be collected (rebates and drawbacks being taken into account), facilities, and all other matters, the most favourable treatment applied to goods of the same kind carried on any German lines, either in internal traffic, or for export, import or in transit, under similar conditions of transport, for example as regards length of route. The same rule shall be applied, on the request of one or more of the Allied and Associated Powers, to goods specially designated by such Power or Powers coming from Germany and going to their territories.

International tariffs established in accordance with the rates referred to in the preceding paragraph and involving through waybills shall be established when one of the Allied and Associated Powers shall require it from Germany.

ARTICLE 366.

From the coming into force of the present Treaty the High Contracting Parties shall renew, in so far as concerns them and under the reserves indicated in the second paragraph of the present Article, the conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

If within five years from the date of the coming into force of the present Treaty a new convention for the transportation of passengers, luggage and goods by rail shall have been concluded to replace the Berne Convention of October 14, 1890, and the subsequent additions referred to above, this new convention and the supplementary provisions for international transport by rail which may be based on it shall bind Germany, even if she shall have refused to take part in the preparation of the convention or to subscribe to it. Until a new convention shall have been concluded, Germany shall conform to the provisions of the Berne Convention and the subsequent additions referred to above, and to the current supplementary provisions.

ARTICLE 367.

Germany shall be bound to co-operate in the establishment of through ticket services (for passengers and their luggage) which shall be required by any of the Allied and Associated Powers to ensure their communication by rail with each other and with all other

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countries by transit across the territories of Germany; in particular Germany shall, for this purpose, accept trains and carriages coming from the territories of the Allied and Associated Powers and shall forward them with a speed at least equal to that of her best long-distance trains on the same lines. The rates applicable to such through services shall not in any case be higher than the rates collected on German internal services for the same distance, under the same conditions of speed and comfort.

The tariffs applicable under the same conditions of speed and comfort to the transportation of emigrants going to or coming from ports of the Allied and Associated Powers and using the German railways shall not be at a higher kilometric rate than the most favourable tariffs (drawbacks and rebates being taken into account) enjoyed on the said railways by emigrants going to or coming from any other ports.

ARTICLE 368.

Germany shall not apply specially to such through services, or to the transportation of emigrants going to or coming from the ports of the Allied and Associated Powers, any technical, fiscal or administrative measures, such as measures of customs examination, general police, sanitary police, and control, the result of which would be to impede or delay such services.

ARTICLE 369.

In case of transport partly by rail and partly by internal navigation, with or without through way-bill, the preceding Articles shall apply to the part of the journey performed by rail.

CHAPTER II.

ROLLING-STOCK.

ARTICLE 370.

Germany undertakes that German wagons shall be fitted with apparatus allowing:

(1) of their inclusion in goods trains on the lines of such of the Allied and Associated Powers as are parties to the Berne Convention of May 15, 1886, as modified on May 18, 1907, without hampering the action of the continuous brake which may be adopted in such countries within ten years of the coming into force of the present Treaty, and

(2) of the acceptance of wagons of such countries in all goods trains on the German lines.

The rolling stock of the Allied and Associated Powers shall enjoy on the German lines the same treatment as German rolling stock as regards movement, upkeep and repairs.

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Chapter III.

CESSIONS OF RAILWAY LINES.

Article 371.

Subject to any special provisions concerning the cession of ports waterways and railways situated in the territories over which Germany abandons her sovereignty, and to the financial conditions relating to the concessionnaires and the pensioning of the personnel, the cession of railways will take place under the following conditions:

(1) The works and installations of all the railroads shall be handed over complete and in good condition.

(2) When a railway system possessing its own rolling-stock is handed over in its entirety by Germany to one of the Allied and Associated Powers, such stock shall be handed over complete, in accordance with the last inventory before November 11, 1918, and in a normal state of upkeep.

(3) As regards lines without any special rolling-stock, Commissions of experts designated by the Allied and Associated Powers, on which Germany shall be represented, shall fix the proportion of the stock existing on the system to which those lines belong to be handed over. These Commissions shall have regard to the amount of the material registered on these lines in the last inventory before November 11, 1918, the length of track (sidings included), and the nature and amount of the traffic. These Commissions shall also specify the locomotives, carriages and wagons to be handed over in each case; they shall decide upon the conditions of their acceptance, and shall make the provisional arrangements necessary to ensure their repair in German workshops.

(4) Stocks of stores, fittings and plant shall be handed over under the same conditions as the rolling-stock.

The provisions of paragraphs 3 and 4 above shall be applied to the lines of former Russian Poland converted by Germany to the German gauge, such lines being regarded as detached from the Prussian State System.

Chapter IV.

PROVISIONS RELATING TO CERTAIN RAILWAY LINES.

Article 372.

When as a result of the fixing of new frontiers a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, if not specifically provided for in the present Treaty, shall be laid down in a convention between the railway administrations concerned. If the administrations cannot come to an agreement as to the terms of such convention, the points of difference shall be decided by commissions of experts composed as provided in the preceding Article.

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ARTICLE 373.

Within a period of five years from the coming into force of the present Treaty the Czecho-Slovak State may require the construction of a railway line in German territory between the stations of Schlauney and Nachod. The cost of construction shall be borne by the Czecho-Slovak State.

ARTICLE 374.

Germany undertakes to accept, within ten years of the coming into force of the present Treaty, on request being made by the Swiss Government after agreement with the Italian Government, the denunciation of the International Convention of October 13, 1909, relative to the St. Gothard railway. In the absence of agreement as to the conditions of such denunciation, Germany hereby agrees to accept the decision of an arbitrator designated by the United States of America.

CHAPTER V.

TRANSITORY PROVISIONS.

ARTICLE 375.

Germany shall carry out the instructions given her, in regard to transport, by an authorised body acting on behalf of the Allied and Associated Powers:

(1) For the carriage of troops under the provisions of the present Treaty, and of material, ammunition and supplies for army use;

(2) As a temporary measure, for the transportation of supplies for certain regions, as well as for the restoration, as rapidly as possible, of the normal conditions of transport, and for the organisation of postal and telegraphic services.

SECTION IV.

DISPUTES

AND REVISION OF PERMANENT CLAUSES.

ARTICLE 376.

Disputes which may arise between interested Powers with regard to the interpretation and application of the preceding Articles shall be settled as provided by the League of Nations.

ARTICLE 377.

At any time the League of Nations may recommend the revision of such of these Articles as relate to a permanent administrative régime.

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ARTICLE 378.

The stipulations in Articles 321 to 330, 332, 365, and 367 to 369 shall be subject to revision by the Council of the League of Nations at any time after five years from the coming into force of the present Treaty.

Failing such revision, no Allied or Associated Power can claim after the expiration of the above period of five years the benefit of any of the stipulations in the Articles enumerated above on behalf of any portion of its territories in which reciprocity is not accorded in respect of such stipulations. The period of five years during which reciprocity cannot be demanded may be prolonged by the Council of the League of Nations.

SECTION V.

SPECIAL PROVISION.

ARTICLE 379.

Without prejudice to the special obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Germany undertakes to adhere to any General Conventions regarding the international régime of transit, waterways, ports or railways which may be concluded by the Allied and Associated Powers, with the approval of the League of Nations, within five years of the coming into force of the present Treaty.

SECTION VI.

CAUSES RELATING TO THE KIEL CANAL.

ARTICLE 380.

The Kiel Canal and its approaches shall be maintained free and open to the vessels of commerce and of war of all nations at peace with Germany on terms of entire equality.

ARTICLE 381.

The nationals, property and vessels of all Powers shall, in respect of charges, facilities, and in all other respects, be treated on a footing of perfect equality in the use of the Canal, no distinction being made to the detriment of nationals, property and vessels of any Power between them and the nationals, property and vessels of Germany or of the most favoured nation.

No impediment shall be placed on the movement of persons or vessels other than those arising out of police, customs, sanitary, emigration or immigration regulations and those relating to the import or export of prohibited goods. Such regulations must be reasonable and uniform and must not unnecessarily impede traffic.

ARTICLE 382.

Only such charges may be levied on vessels using the Canal or its approaches as are intended to cover in an equitable manner the cost

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of maintaining in a navigable condition, or of improving, the Canal or its approaches, or to meet expenses incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenses, and shall be posted up in the ports.

These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in the case of suspected fraud or contravention.

ARTICLE 383.

Goods in transit may be placed under seal or in the custody of customs agents; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by Germany.

ARTICLE 384.

No charges of any kind other than those provided for in the present Treaty shall be levied along the course or at the approaches of the Kiel Canal.

ARTICLE 385.

Germany shall be bound to take suitable measures to remove any obstacle or danger to navigation, and to ensure the maintenance of good conditions of navigation. She shall not undertake any works of a nature to impede navigation on the Canal or its approaches.

ARTICLE 386.

In the event of violation of any of the conditions of Articles 380 to 386, or of disputes as to the interpretation of these Articles, any interested Power can appeal to the jurisdiction instituted for the purpose by the League of Nations.

In order to avoid reference of small questions to the League of Nations, Germany will establish a local authority at Kiel qualified to deal with disputes in the first instance and to give satisfaction so far as possible to complaints which may be presented through the consular representatives of the interested Powers.

PART XIV.

GUARANTEES.

SECTION 1.

WESTERN EUROPE.

ARTICLE 428.

As a guarantee for the execution of the present Treaty by Germany, the German territory situated to the west of the Rhine, together with the bridgeheads, will be occupied by Allied and Associated troops for a period of fifteen years from the coming into force of the present Treaty.

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ARTICLE 429.

If the conditions of the present Treaty are faithfully carried out by Germany, the occupation referred to in Article 428 will be successively restricted as follows:

(1) At the expiration of five years there will be evacuated: the bridgehead of Cologne and the territories north of a line running along the Ruhr, then along the railway Jülich, Duren, Euskirchen, Rheinbach, thence along the road Rheinbach to Sinzig, and reaching the Rhine at the confluence with the Ahr; the roads, railways and places mentioned above being excluded from the area evacuated.

(2) At the expiration of ten years there will be evacuated: the bridgehead of Coblenz and the territories north of a line to be drawn from the intersection between the frontiers of Belgium, Germany and Holland, running about from 4 kilometres south of Aix-la-Chapelle, then to and following the crest of Forst Gemünd, then east of the railway of the Urft Valley, then along Blankenheim, Valdorf, Dreis, Ulmen to and following the Moselle from Bremm to Nehren, then passing by Kappel and Simmern, then following the ridge of the heights between Simmern and the Rhine and reaching this river at Bacharach; all the places, valleys, roads and railways mentioned above being excluded from the area evacuated.

(3) At the expiration of fifteen years there will be evacuated: the bridgehead of Mainz, the bridgehead of Kehl and the remainder of the German territory under occupation.

If at that date the guarantees against unprovoked aggression by Germany are not considered sufficient by the Allied and Associated Governments, the evacuation of the occupying troops may be delayed to the extent regarded as necessary for the purpose of obtaining the required guarantees.

ARTICLE 430.

In case either during the occupation or after the expiration of the fifteen years referred to above the Reparation Commission finds that Germany refuses to observe the whole or part of her obligations under the present Treaty with regard to reparation, the whole or part of the areas specified in Article 429 will be re-occupied immediately by the Allied and Associated forces.

ARTICLE 431.

If before the expiration of the period of fifteen years Germany complies with all the undertakings resulting from the present Treaty, the occupying forces will be withdrawn immediately.

ARTICLE 432.

All matters relating to the occupation and not provided for by the present Treaty shall be regulated by subsequent agreements, which Germany hereby undertakes to observe.

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SECTION II.

EASTERN EUROPE.

ARTICLE 433.

As a guarantee for the execution of the provisions of the present Treaty, by which Germany accepts definitely the abrogation of the Brest-Litovsk Treaty, and of all treaties, conventions and agreements entered into by her with the Maximalist Government in Russia, and in order to ensure the restoration of peace and good government in the Baltic Provinces and Lithuania, all German troops at present in the said territories shall return to within the frontiers of Germany as soon as the Governments of the Principal Allied and Associated Powers shall think the moment suitable, having regard to the internal situation of these territories. These troops shall abstain from all requisitions and seizures and from any other coercive measures, with a view to obtaining supplies intended for Germany, and shall in no way interfere with such measures for national defence as may be adopted by the Provisional Governments of Esthonia, Latvia and Lithuania.

No other German troops shall, pending the evacuation or after the evacuation is complete, be admitted to the said territories.

PART XV.

MISCELLANEOUS PROVISIONS.

ARTICLE 434.

Germany undertakes to recognise the full force of the Treaties of Peace and Additional Conventions which may be concluded by the Allied and Associated Powers with the Powers who fought on the side of Germany and to recognise whatever dispositions may be made concerning the territories of the former Austro-Hungarian Monarchy, of the Kingdom of Bulgaria and of the Ottoman Empire, and to recognize the new States within their frontiers as there laid down.

ARTICLE 435.

The High Contracting Parties, while they recognize the guarantees stipulated by the Treaties of 1815, and especially by the Act of November 20, 1815, in favour of Switzerland, the said guarantees constituting international obligations for the maintenance of peace, declare nevertheless that the provisions of these treaties, conventions, declarations and other supplementary Acts concerning the neutralized zone of Savoy, as laid down in paragraph 1 of Article 92 of the Final Act of the Congress of Vienna and in paragraph 2 of Article 3 of the Treaty of Paris of November 20, 1815, are no longer consistent with present conditions. For this reason the High Contracting Parties take note of the agreement reached between the French Government and the Swiss Government for the abrogation of the stipulations relating to this zone which are and remain abrogated.

The High Contracting Parties also agree that the stipulations of the Treaties of 1815 and of the other supplementary Acts concerning

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the free zones of Upper Savoy and the Gex district are no longer consistent with present conditions, and that it is for France and Switzerland to come to an agreement together with a view to settling between themselves the status of these territories under such conditions as shall be considered suitable by both countries.

ANNEX.

I

The Swiss Federal Council has informed the French Government on May 5, 1919, that after examining the provisions of Article 435 in a like spirit of sincere friendship it has happily reached the conclusion that it was possible to acquiesce in it under the following conditions and reservations:

(1) The neutralized zone of Haute-Savoie:

(*a*) It will be understood that as long as the Federal Chambers have not ratified the agreement come to between the two Governments concerning the abrogation of the stipulations in respect of the neutralized zone of Savoy, nothing will be definitively settled, on one side or the other, in regard to this subject.

(*b*) The assent given by the Swiss Government to the abrogation of the above mentioned stipulations presupposes, in conformity with the text adopted, the recognition of the guarantees formulated in favour of Switzerland by the Treaties of 1815 and particularly by the Declaration of November 20, 1815.

(*c*) The agreement between the Governments of France and Switzerland for the abrogation of the above mentioned stipulations will only be considered as valid if the Treaty of Peace contains this Article in its present wording. In addition the Parties to the Treaty of Peace should endeavour to obtain the assent of the signatory Powers of the Treaties of 1815 and of the Declaration of November 20, 1815, which are not signatories of the present Treaty of Peace.

(2) Free zone of Haute-Savoie and the district of Gex:

(*a*) The Federal Council makes the most express reservations to the interpretation to be given to the statement mentioned in the last paragraph of the above Article for insertion in the Treaty of Peace, which provides that "the stipulations of the Treaties of 1815 and other supplementary acts concerning the free zones of Haute-Savoie and the Gex district are no longer consistent with present conditions". The Federal Council would not wish that its acceptance of the above wording should lead to the conclusion that it would agree to the suppression of a system intended to give neighbouring territory the benefit of a special régime which is appropriate to the geographical and economical situation and which has been well tested.

In the opinion of the Federal Council the question is not the modification of the customs system of the zones as set up by the Treaties mentioned above, but only the regulation in a manner more appropriate to the economic conditions of the present day of the terms of the exchange of goods between the regions in question. The Federal Council has been led to make the preceding observations by the perusal of the draft Convention concerning the future constitution of the zones which was annexed to the note of April 26 from the French Government. While making the above reservations the Federal

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Council declares its readiness to examine in the most friendly spirit any proposals which the French Government may deem it convenient to make on the subject.

(*b*) It is conceded that the stipulations of the Treaties of 1815 and other supplementary acts relative to the free zones will remain in force until a new arrangement is come to between France and Switzerland to regulate matters in this territory.

II

The French Government have addressed to the Swiss Government, on May 18, 1919, the following note in reply to the communication set out in the preceding paragraph:

In a note dated May 5 the Swiss Legation in Paris was good enough to inform the Government of the French Republic that the Federal Government adhered to the proposed Article to be inserted in the Treaty of Peace between the Allied and Associated Governments and Germany.

The French Government have taken note with much pleasure of the agreement thus reached, and, at their request, the proposed Article, which had been accepted by the Allied and Associated Governments, has been inserted under No. 435 in the Peace conditions presented to the German Plenipotentiaries.

The Swiss Government, in their note of May 5 on this subject, have expressed various views and reservations.

Concerning the observations relating to the free zones of Haute-Savoie and the Gex district, the French Government have the honour to observe that the provisions of the last paragraph of Article 435 are so clear that their purport cannot be misapprehended, especially where it implies that no other Power but France and Switzerland will in future be interested in that question.

The French Government, on their part, are anxious to protect the interests of the French territories concerned, and, with that object, having their special situation in view, they bear in mind the desirability of assuring them a suitable customs régime and determining, in a manner better suited to present conditions, the methods of exchanges between these territories and the adjacent Swiss territories, while taking into account the reciprocal interests of both regions.

It is understood that this must in no way prejudice the right of France to adjust her customs line in this region in conformity with her political frontier, as is done on the other portions of her territorial boundaries, and as was done by Switzerland long ago on her own boundaries in this region.

The French Government are pleased to note on this subject in what a friendly disposition the Swiss Government take this opportunity of declaring their willingness to consider any French proposal dealing with the system to be substituted for the present régime of the said free zones, which the French Government intend to formulate in the same friendly spirit.

Moreover, the French Government have no doubt that the provisional maintenance of the régime of 1815 as to the free zones referred to in the above mentioned paragraph of the note from the Swiss Legation of May 5, whose object is to provide for the passage from the present régime to the conventional régime, will cause no

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delay whatsoever in the establishment of the new situation which has been found necessary by the two Governments. This remark applies also to the ratification by the Federal Chambers, dealt with in paragraph 1 (*a*), of the Swiss note of May 5, under the heading "Neutralized zone of Haute-Savoie".

ARTICLE 436.

The High Contracting Parties declare and place on record that they have taken note of the Treaty signed by the Government of the French Republic on July 17, 1918, with His Serene Highness the Prince of Monaco defining the relations between France and the Principality.

ARTICLE 437.

The High Contracting Parties agree that, in the absence of a subsequent agreement to the contrary, the Chairman of any Commission established by the present Treaty shall in the event of an equality of votes be entitled to a second vote.

ARTICLE 438.

The Allied and Associated Powers agree that where Christian religious missions were being maintained by German societies or persons in territory belonging to them, or of which the government is entrusted to them in accordance with the present Treaty, the property which these missions or missionary societies possessed, including that of trading societies whose profits were devoted to the support of missions, shall continue to be devoted to missionary purposes. In order to ensure the due execution of this undertaking the Allied and Associated Governments will hand over such property to boards of trustees appointed by or approved by the Governments and composed of persons holding the faith of the Mission whose property is involved.

The Allied and Associated Governments, while continuing to maintain full control as to the individuals by whom the Missions are conducted, will safeguard the interests of such Missions.

Germany, taking note of the above undertaking, agrees to accept all arrangements made or to be made by the Allied or Associated Government concerned for carrying on the work of the said missions or trading societies and waives all claims on their behalf.

ARTICLE 439.

Without prejudice to the provisions of the present Treaty, Germany undertakes not to put forward directly or indirectly against any Allied or Associated Power, signatory of the present Treaty, including those which without having declared war, have broken off diplomatic relations with the German Empire, any pecuniary claim based on events which occurred at any time before the coming into force of the present Treaty.

The present stipulation will bar completely and finally all claims of this nature, which will be thenceforward extinguished, whoever may be the parties in interest.

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ARTICLE 440.

Germany accepts and recognises as valid and binding all decrees and orders concerning German ships and goods and all orders relating to the payment of costs made by any Prize Court of any of the Allied or Associated Powers, and undertakes not to put forward any claim arising out of such decrees or orders on behalf of any German national.

The Allied and Associated Powers reserve the right to examine in such manner as they may determine all decisions and orders of German Prize Courts, whether affecting the property rights of nationals of those Powers or of neutral Powers. Germany agrees to furnish copies of all the documents constituting the record of the cases, including the decisions and orders made, and to accept and give effect to the recommendations made after such examination of the cases.

THE PRESENT TREATY, of which the French and English texts are both authentic, shall be ratified.

The deposit of ratifications shall be made at Paris as soon as possible.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the Treaty has been ratified by Germany on the one hand, and by three of the Principal Allied and Associated Powers on the other hand.

From the date of this first procès-verbal the Treaty will come into force between the High Contracting Parties who have ratified it. For the determination of all periods of time provided for in the present Treaty this date will be the date of the coming into force of the Treaty.

In all other respects the Treaty will enter into force for each Power at the date of the deposit of its ratification.

The French Government will transmit to all the signatory Powers a certified copy of the procès-verbaux of the deposit of ratifications.

IN FAITH WHEREOF the above-named Plenipotentiaries have signed the present Treaty.

Done at Versailles, the twenty-eighth day of June, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

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Declaration of War by Germany on USA.
11 December 1941.

D. d. P. IX, 1, No 74.

Note of the 11th December 1941 from the Reich Foreign Minister von RIBBENTROP to the United States Charge d'Affaires in Berlin, Legation Counsellor MORRIS.

Sir,

After the Government of the United States of America had, from the very beginning of the European war brought about by the British Declaration of war on Germany on the 3rd September 1939, most flagrantly and to an ever increasing extent violated all the rules of neutrality in favour of Germany's enemies, and after it had been continuously guilty of the worst type of provocations against Germany, it has finally gone over to open military acts of aggression.

On the 11th September 1941, the President of the United States of America publicly announced that he had ordered the American fleet and air force to shoort at every German warship without hesitation. In his speech of the 27th October of this year he once again expressly confirmed that this order was now in operation.

On the strength of this order, American warships have been systematically attacking German naval forces since the beginning of September of this year. Thus, American destroyers, for instance the "Greer", the "Kearney" and the "Reuben James" have opened fire on German U-boats according to plan. The Secretary of State of the American Navy, Mr KNOX, himself confirmed that American destroyers had been attacking German U-boats.

Further, naval forces of the United States of America, acting upon the orders of their Government, have, in violation of international law, treated German merchant ships on the open seas as enemy ships, and have taken them as prizes.

The Government of the Reich therefore declares:-

Although Germany for her part has always strictly observed the rules of international law in her dealings with the United States of America throughout the whole of the present war, the Government of the United States of America has finally gone over from breaches of neutrality in the beginning to open acts of war against Germany. It has, therefore, virtually created a state of war.

The Reich Government therefore breaks all diplomatic relations with the United States of America, and declares that under these circumstances, brought about by President Roosevelt, Germany too considers herself to be at war with the United States of America as from today.

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